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Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women

Combined fourth and fifth periodic reports of States parties

Angola*

* The present report is being issued without formal editing.

For the combined initial, second and third periodic reports submitted by the Government of Angola, see CEDAW/C/AGO/1-3.

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REPUBLIC OF ANGOLA

PRESIDENCY OF THE REPUBLIC

MESSAGE

The adhesion of the Republic of Angola to the legal international instruments, translates our firm will to start with actions to accomplish Women's advancement and to create the conditions for the well-being of the Families, through the implementation of policies and programmes that will lead the de facto equality of rights, to the end of discrimination and to the full gender integration.

In a country like ours, hardly marked by centuries of colonialism and by decades of an atrocious war, no doubt, women were the main victims. So, paying them a particular attention, is essential to make it possible their fulfilment as citizens who should benefit, indeed, from equal opportunities in the fields of assistance, education, training and employment.

On the other hand, the paramount ----ole that the Family plays in the up bringing and education of new generations and as well in the actual pacification process and national reconciliation, requires the government to prioritise women in its social policies, in order to accomplish their needs and to ensure their steadiness.

In Angola, an adequate legislation against domestic violation will be adopted according to the Constitutional Law and the United Nations Convention on the Elimination of All Forms of Discrimination Against Women.

Households should be converted into a place of serenity, peace, share and mutual respect with the aim of attaining equality and to ensure more just, fraternal, and jointly responsible gender relations.

JOSÉ EDUARDO DOS SANTOS
PRESIDENT OF THE REPUBLIC OF ANGOLA

FORWARD

The Government of the Republic of Angola, signed and ratified International and Regional Instruments related to the advancement of women and of the family in gender perspective (annexe I), whose implementation is felt with strictness to report its accomplishment to the related institutions, as well as the SADC Heads of State and Government Declaration on Gender and Development, where they compromised themselves in line ii, paragraph H of the Declaration " **to ensure an equal representation of women and men in the process of decision making at all levels, in Member States and in the SADC Structures and to attain to the year 2005 30% of women in the political structures and decision making bodies"** (annexe 2).

His Excellency, the President of the Republic of Angola, reaffirmed in his introductory message on the occasion of the first time that Angola is reporting on the implementation of the United Nations Convention on the Elimination of all Forms of Discrimination Against Women, We quote:" **in the present world, the building of Democratic States is on the agenda, as a guaranty of progress, socio-economic development and well-being of the peoples. This condition imposes the acknowledgement and the respect of women's rights and, above all, the acknowledgement of their specificities and differences that should, whatsoever, be used as a basis for any type of discrimination, on the contrary, should contribute to the affirmation of their right to equality and participation. So, it is of elementary justice, and of urgency to universally recognise and exalt women's participation in the liberation and development processes of their respective countries and their decisive role in educating the new generations in the safeguard and perpetuation of the worth of life, the family and love (annexe 3).**

These instruments in Member States are implemented by government institutions that deal with gender and women's issues. In our case, the Ministry of Family and Promotion of Women, is the government institution charged to define and implement the National Policy to promote and ensure women's rights within the family and in the society as a whole, whose activity, for its accomplishment, circumscribes in the advocacy related to this issues, approaches that strongly clash with the cultures of some countries. For this reason, these institutions are called to develop an intensive programme of information and educational training basically, through the realization of lectures, seminars, sensitisation campaigns, etc., with a view of changing of the changing of mentalities of the societies, in order to achieve, in the long term, just, balanced and developed societies with greater involvement in those countries that have just came out of the war, where the social and political intensions should be strictly followed by these actions.

This is the educative process for the balance of gender relations, for the eradication of violence at all levels and for civic behaviour that correspond to the standards of tolerant living together to enable Counties to attain a quick and lasting development.

In this conformity and in obedience to the fulfilment of the implementation of the respective instruments, the Ministry of Family and Promotion of Women created in collaboration with other Government institutions and social partners elaborated a National Strategy and Strategic Framework for the Promotion of Gender Equality based on the Beijing and Dakar Platforms, approved by the Permanent commission of the Cabinet on the 7th of November 2001, out of which the activities under the responsibility of MFPW, for its implementation for the year 2003 is annexed for budget approval.

ANNEXE I

MEMORANDUM ON THE INTERNATIONAL AND REGIONAL LEGAL INSTRUMENTS ON THE EQUALITY AND PROMOTION OF WOMEN

With the independence, in 1975, Angola became a member of the United Nations Organization (UNO) from 1976 and assumed various compromises related with the promotion and advancement of women towards equality and development.
Until the implementation of the multiparty system in 1991, OMA, the Angolan Women's Organization, with thousands of members, attached to the ruling Party, created National structures for the socio-cultural and legal support of women, namely in rural areas where women is the most vulnerable.

ANGOLA IS PARTY OF THE FOLLOWING LEGAL INSTRUMENTS:

- United Nations Convention on the Elimination of All Forms of Discrimination Against Women- ratified in the 1st Legislature, under resolution 15/84,m of 25 July;
- United Nations Convention on the Political Rights of Women, ratified in the 1st Legislature under resolution 4/85,of 27 July;
- ILO Convention (nº100), related to equal pay between working women and men, of 29 of June, 1951;
- Convention related to the Status of Refugees, of 28 July, 1951;
- African Charter on the Rights of Peoples, of 28 of June, 1981;
- International Convention on Human Rights of 1930;
- Universal Declaration of Human Rights of December,1948;
- SADC Heads of State and Government on Gender and Development of 8 of September, 1997;
- Declaration on the Eradication of Violence Against Women and Children, an Addendum to the Heads of State and Government on Gender and Development of 1998.

1- INTRODUCTION

The present report is the first time that the Angolan government is submitting a combined report, together with document CEDAW/C/AGO/1-3, to the Secretary-General of the United Nations for consideration by the Committee in accordance with paragraph 1 of article 18 of the United Nations Convention on Elimination of all Forms of Discrimination Against Women of 18 December 1979 and ratified by the Government of Angola in 1984 without reservations, through resolution 15/84 of 25 of July.

In compliance with the guidelines prepared by the Committee on the Elimination of Discrimination Against Women, the report contains general information about the Republic of Angola and about the decisions from the individual articles of the Convention.

2- THE COUNTRY AND ITS POPULATION

The Republic of Angola is situated in the western coast of Southern Africa, south Equator, limited to the north by the Republic of Congo Brazzaville, to the east by Democratic Republic of the Congo and by Zambia, to the south by Namibia and to the west by the Atlantic Ocean. It is the 5th biggest country in Africa with an area of approximately 1,246,700 km2.
In the year 2000 the Angolan population was of approximately 14,602,000 inhabitants which correspond to a global average density of 11.71 residents per square kilometre.
The angolan population is essentially young. In 1995 and 2000 the average 13 year old population represented 43.1% of the total population and the 17 year old population has an average of approximately 52.1%, whereas the population in active age represented more than 51% of the total population in the same period.
From the point of view of its ethno-linguistic composition, the angolan population, which lives in the territory of Angola is integrated by the following Bantu groups: Ovimbundu, Umbundu or Akambundu, Bakongo, Lunda –Cokwe, Nganguela, Nyaneka- Humbe, Ovambo, and Hereros. There is a small minority of non-Bantu autochthonous peoples with prominence for the Kung (Bosquimanes) as well as a small number of angolans of european origin as a consequence of colonisation. The majority of the people speak well their local language. The official language in the country is Portuguese.

3- Political evolution

The Republic of Angola became independent on the 11th November 1975, after almost 500 years of portuguese colonisation and 14 years of armed struggle.
Since independence, Angola experienced a devastating civil war and, for the ceasing of hostilities the following agreements were signed:
1991 - Bicesse Protocol led the country to the first multiparty elections.
1992 - With the refusal of elections results by UNITA, although declared by international community as free and fair, the armed conflict re-emerged.
1994 - Lusaka Protocol signed under United Nations mediation after twelve months of intense and permanent negotiations between the Government and UNITA that allowed the constitution of a Government of Unity and National Reconciliation(GURN).
1998 - This agreement was suspended and a new period of war came out.
2002 – Luena Memorandum of Understanding signed between the Government through the Angolan armed Forces (FAA), and by the military wing of UNITA which took the country to a new cycle of life.
About 4,047,778 (July 2000) internally displaced persons, refugees into neighbouring countries, the physically handicapped, war landmines victims, orphan and abandoned children, considerable increase in households headed by women, girls, and small boys living in extreme poverty, military and para-military absorption of the youths, and destruction of socio-economic infrastructures, were the results of more than 30 years of civil war.

4- Socio-economic situation

The angolan economy presents very serious sectoral asymmetries translated into a notable growth of oil economy and an almost stagnation of other sectors of economic activities. The weight of oil economy is significant: 41% in average in the 90's and about 60% in 1996, and 62% in 2000.

With the oil discoveries occurred in the 90's whose reserves are estimated at 2.5 billion barrels per day, Angola joined the group of major oil producers in Sub-Saharan Africa. In 2000 the average production of oil was 749,000 barrels per day whilst in 1990 was only 480,000.

Following is the participation of the different sectors of national economy in the GDP:

Table on the evolutin of the sectoral structure of the of GDP

	Agriculture, Silviculture Fisheries	Oil	Diamonds	Industry	Construction	Trade	Other Services	Services
1989	10.8	54.7		3.5	2.2	4.6	18.3	0.0
1990	10.3	55.7		3.2	2.2	4.4	18.8	0.0
1991	12.0	46.7	1.4	3.7	3.7	10.3	11.8	8.4
1992	13.7	37.7	2.8	4.1	5.2	16.2	4.9	16.7
1993	11.7	42.6	0.5	5.2	4.3	19.4	0.0	13.8
1994	6.2	58.1	1.2	6.7	3.2	17.1	0.0	6.2
1995	7.8	56.0	1.1	7.2	3.4	16.6	0.0	6.9
1996	7.5	59.3	0.6	6.8	3.2	14.8	0.0	7.1
1997	9.5	48.3	3.8	4.4	4.1	16.2	0.0	11.3
1998	12.3	32.9	7.3	5.7	5.5	20.7	0.0	13.9
1999	6.7	55.7	7.5	3.6	3.7	13.1	0.0	7.8
2000	5.3	61.7	7.9	2.9	3.0	10.6	0.0	6.3
Average	9.4	50.8	3.4	4.8	3.7	13.7	4.5	8.2

Source: Ministry of Planning, MODANG, 2002(1)

The Gross Domestic Product in the 1990-2000 period, despite a very limited evolution, grew by an annual rate of about 0.3%. The average GDP per capita
was of USD 602. Annual average exports reached the amount of USD 4.388 million and imports the average amount of USD 5,545.5, and the balance of current transactions recorded a deficit. The budget deficit presented in the same period a neat downward trend as well as inflation which, from the hyperinflation levels recorded from 1993 to 1996 (accounting for the average annual inflation of the decade of about 977.5%), in the year 2000 was an accumulated inflation.

The exchange policy made some progresses as the difference between the informal and the official rates of 1298% in 1991 fell to 5.11% in 2000.

Article 1

For the effects of the present Convention, the expression "discrimination against women" shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on the basis of equality of men and women, of human rights and fundamental freedoms in political, economic, social and cultural, civil or any other field.

Article 2

States Parties condemn discrimination against women in all its forms, agree to pursue by all appropriate means and without delay a policy of eliminating discrimination against women and, to this end, undertake:

(a) To embody the principle of the equality of men and women in their national constitutions or other appropriate legislation if not yet incorporated therein and to ensure, through law and other appropriate means, the practical realization of this principle;

(b) To adopt appropriate legislative and other measures, including sanctions where appropriate, prohibiting all discrimination against women;

(c) To establish legal protection of the rights of women on an equal basis with men and to ensure through competent national tribunals and other public institutions the effective protection of women against any act of discrimination;

(d) To refrain from engaging in any act or practice of discrimination against women and to ensure that the public authorities and institutions shall act in conformity with this obligation;

(e) To take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise;

(f) To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women;

(g) To repeal all national penal provisions which constitute discrimination against women.

The Constitution Law in article 18 stipulates the principle of equality and of the non discrimination of the citizens, being the equality between sexes one of the various components of this principle.

Paragraph 1 of that article says that "All the citizens are equal before the law and enjoy the same rights and are subject to the same duties without distinction of their colour, race, sex, ethnic group, place of birth, religion, ideology, level of education, social or economic condition.

Article 3

States Parties shall take in all fields, in particular in political, social, economic and cultural fields, all appropriate measures, including legislation, to ensure the full development of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on the basis of equality with men.

And adds in paragraph 2 of article 18 of the Constitutional law:

"The law severely punishes all acts which aim to harm the social harmony or create discriminations or privileges based on those factors".

The principle of equality and of non discrimination finds in the Constitution another manifestation such as in article 18, item 1, on the right of active participation in public life:

"All citizens, older than 18 years, except for those legally deprived of political and civil rights, have the right and the duty to participate actively in public life voting and being elected to any organ of the State and performing their mandates with complete devotion to the cause of the angolan nation".

About the right to security in employment, education and professional career (article 28 n. 2) of the constitution says:

"No citizen should be harmed in his work, in his education, in his post, in his professional career or in the benefits he is entitled to, due to the holding of political posts, or the exercising of his political rights".

Although there is this guarantee both in the Constitution Law and in the Labour Legislation, the reality experiences situations of discrimination with regard to women both by the national and foreign companies, mainly due to two factors: There is an imbalance in the participation of women in the gender relationship at the level decision making organs; There is a systematic violation of the rights of working women by the employers; particularly with regard to the maternity right, some of them preferring to "get rid" of the women during maternity leave on a variety of pretexts.

However, there should exist a greater protection of working women. In the other hand, because the survival of any nation fundamentally depends on the ability of women to perform their multiple functions as mothers, workers and responsible for the education, security and survival of children, the follow-up to the growth and development of healthy children and adults, food and education of children, conciliation of the family and maternity which is above all a social function, a guarantee for the maintenance of human species, factor of psycho-social balance and for many times the economic balance of the family.

Indeed, women for their multiple contribution to the Nation, are the most sacrificed and in the current context, and more than ever, it is the women who will have to make a greater effort in the pacification of spirits, serving as the liaison and approximation element of the divided families and in the effort of National Reconstruction with their participation in work. But it is here where she suffers most.

However, the working women are normally the most exposed to the violation of the Labour Legislation by the employers for the latter knowing that it is the women who know the least about their rights and the ones in most need of salary, thus becoming the target of blackmails risking to lose the job.

Article 29 of the same Law, substantiated with the article 3 of the Family code, states the "equality between men and women in the family, affirming that both enjoy the same rights and both are subject to the same duties".
Article 43 is related to the resort to courts: "All citizens have the right to impugn and resort to the courts against all acts violating their rights".
The right to job (article 46) is also a right for all citizens, who have the right to free choice of profession exercising, respecting the requisites established by Law (article 46 - item 3).
With regard to the protection of maternity, old age, disability, medical and sanitary assistance and access to education, article 47 states that:
"The State promotes the necessary measures to secure to the citizens the right to medical and sanitary assistance, as well as the right to assistance in childhood, in maternity, in disability and in any situation of inability for work".
The private initiative and cooperative in the fields of health, providence and social security, is exercised under the conditions provided in the law.
A wide variety of complementary legislation puts into practice and seeks to secure the effective realisation of these constitutional norms, namely in the following fields:
Equality of rights at work and employment, established by Law 2/2000 - General Labour Law, approved on 11 February 2000 by the National Assembly.
Article 3 paragraph 1 establishes that: "All citizens have the right to a freely chosen work, with equality of opportunity and without any discrimination based on race, sex, origin, colour, ethnic group, civil status, social condition, religious or political ideals, union membership or language".
Paragraph 3 adds that: "All citizens have the right to free choice and exercise of profession, without restrictions, save exceptions predicted by law".
Assistance to family: Article 156, item 3 - "Absence from work justified by the need to provide crucial assistance to the members of the family aggregate, its duration has the following limits:

a) Three working days per month, for sickness or accident of the spouse, parents, grand parents, children above 10 years of age and in-laws of same line degrees up to a maximum 12 working days a year.
b) 24 working days a year, for disease or accident of child, adopted or step-child below 10 years of age.

Right and protection to maternity: It provides in paragraph 1 of article 27 that women are entitled to 90 days of maternity leave and 30 days as complementary period to the leave.
Articles 273 and 275 - on maternity leave. These norms grant about five months of leave for woman to look after the baby and only one day - that of the birth of the child - to the father.
Article 276 on absences during pregnancy and after delivery it grants to women, and up to 15 months after delivery, one day per month for medical follow-up of her pregnancy state and to look after the child. This norm seems to grant a status of minority to the father as he seems lacking the "competence" to look after the child or take him to the doctor.
Article 280 establishes that: "The State must, progressively, implement a national network of guard structures for children, such as hostels, crèches and gardens for children, duly sized and located, equipped with human and technical means as well as proper condition for the promotion of integral development of children.

Civil and Commercial Code

Further to these norms there are a few conflict norms, integrated in articles 25 and 65 of the Commercial Code which, when electing the connection to determine the law applicable to a certain legal relation that has contact with a variety of legislation, they elect the connection "Personal Law of the Husband". An example of this are articles 52 and 57 of the Civil Code. The latter only allows the application of the personal law of the mother to the relations between parents and children if she is fully exercising the Paternal Power.
Moreover, the women need an authorisation from the husband to become a businessperson, as provided in the Commercial Code.
But we understand the latter norms as revoked by the current article 165 of the Constitution Law.

Family Code

The Family Code was approved through Law 1/88 which notes that it constitutes a fundamental milestone in matters of the legal provision of the equality of rights between men and women.

Penal Code

In this legislation, we find discriminatory norms on gender as for example:
1 - Crimes that can only have a woman as author
Abortion - Article 358 P.C.
Infanticide - 356 P.C.
2 - Crimes that can only have a woman as victim
Rape - Article 392 P.C.
Violation - Article 392 P.C.
Violent and fraudulent kidnapping - Article 395 P.C.
Bride price of defendant and marriage effects - Article 400 P.C.
Adultery of the wife - Article 401 P.C.
Adultery of the husband - 404 P.C.
Provocation constituted by adultery of corruption of under age daughter - Article 372 P.C.
Fraudulent opening of closed letters or papers - Article 461 P.C.

Judiciary system in Angola

At present the judiciary system in Angola is basically substantiated in Law 18/88 of 31 December 1988 of the Unified System of Justice from the former People's Assembly.
Taking into account that law is a means to realise the aims of the State, this law is intended to create an efficient, comfortable and adequate tool for the preparation of the aims of the society in a gradual manner given the expiry of the old codes in many aspects namely the Civil Code, the Civil Procedural Code, the Penal Code and the Penal Procedural Code.
In accordance with the law on the Unified System of Justice, the administration of justice aims among other objectives mentioned to protect and assist the political, economic and social

system of the country; to protect the harmony and stability of the family, to defend the fundamental rights and legitimate interests of the citizens and especially the right to life, to freedom, to honour and to personal goods, to sanction the anti-social behaviours violating the law and contributing for re-education of delinquents and educate the citizens towards complying with the laws, thus contributing for the elevation of the level of juridical consciousness of all citizens.
Provincial Courts are integrated by the following halls:
Civil and Administrative Hall
Family Hall
Common Crimes Hall
There are also some special Courts such as the Military Court and the Maritime Court.
Municipal Courts have the civil and criminal competence provided in the Law. The knowledge of appeals filed in civil matters on decisions from Municipal Courts is of the competence of the respective Provincial Court whereas appeals filed in civil and criminal matters on decisions from Provincial Courts are of the competence of the respective Chambers of the Supreme Court.
Also under Law 18/88, all judges are subject to accountability on their jurisdictional activity at the close of each civil year. Court must render mutual cooperation and make diligences as requested in the area of their jurisdiction in a proper manner and with celerity and efficiency in the administration of justice.
The Law stipulates as well that there must exist police cooperation with the Courts whom are to be entrusted whenever necessary the exercising of the jurisdictional function and the enforcement of the decisions. This same principle is also established with relation to international cooperation. Article 78 says that when Foreign Courts request the enforcement in the national territory of legal acts the request will be sent by the Ministry of External Relations to the Supreme Court Chief Judge, save in the existence of International Convention or Treaty provisions.

Judicial Division and hierarchy

Judicial division matches the political-administrative division of the State except for military courts. The Courts are divided accordingly the following hierarchy:
- Supreme Court
- Provincial Courts
- Municipal Courts

-Municipal courts
The Supreme Court exerts jurisdiction all over the national territory and its head office is in the capital of the country. The provincial Court has jurisdiction over the territory of the respective province and is based in its capital and has also jurisdiction over the municipalities forming the respective province as long as the corresponding Municipal Courts have not been created.
Yet under the terms of Law 18/88 more than one Provincial Court may be created in the same province with jurisdiction area to be defined in each case, whenever justified by the procedural flow or determined by other reasons.

The Municipal Court has jurisdiction over the territory of the Municipality and is based in the respective chief. The law provides that, transitionally, its jurisdiction may be extended to more than one Municipality.

It is up to the Plenary of the Supreme Court, as the last instance Court and of full jurisdiction, to know about causes of attributed by law. The Supreme Court is integrated by the following Chambers:

Civil and Administrative Chamber

Common Crimes Chamber

Military Crimes Chamber

Law on Lands: Regulation on Occupation and Concession of Lands, approved by the Decree 43894 of 6 September 1961. It regulates the process of concession of lands in the colonial period. After independence, the lands were considered as an exclusive property of the State and their exploiting was being made through state companies.

Agricultural and livestock, and agro-industrial properties which had been abandoned and stopped were confiscated under decree 4/92 of January 17 on

the concession of ownership of land use approved on 28 August the same year and regulated by decree 32/95 of 8 December.

The law is not clear enough as far as traditional rights are concerned, taking into account that most population is related to agriculture in which land is predominantly community-owned.

A public discussion on the draft Law on Lands and the draft Law on Territory ordering is underway.

Part II

Article 4

1. **Adoption by States Parties of temporary special measures aimed at accelerating *de facto* equality between men and women shall not be considered discrimination as defined in the present Convention, but shall in no way entail as a consequence the maintenance of unequal or separate standards; these measures shall be discontinued when the objectives of equality of opportunity and treatment have been achieved.**
2. **Adoption by States Parties of special measures, including those measures contained in the present Convention, aimed at protecting maternity shall not be considered discriminatory.**

NATIONAL INSTITUTIONAL MECHANISM FOR THE PROMOTION OF WOMEN

In March 1991 a Secretariat of State for the Promotion and Development of Women was created, whose status was elevated to a Ministry in 1997. It is the Government organ in charge of defining and executing the national policy for the defence and guarantee of the rights of women inserted in the family and in the society in general.

It is a party of the Cabinet. Its support and consultative organs are the Managing Council, the Consulting Council, the Family Council and the Gender Multisectoral Co-ordinating Council whose tasks are as follows:

The National Family Council is the Consulting organ of the Ministry of Family and Promotion of Women at central and provincial level, whose objective is to secure the participation of the various institutions of the State, of several NGO's, Women's Associations and Organisations of social and religious character in the pursuance of the objectives of this Ministry. This Council is established at national and provincial levels.

The Gender Multisectoral Co-ordinating Council at national and provincial level is a partnership organ of the Ministry of Family and Promotion of Women, whose objective is to secure the participation of various State organisms through focal points, contributing for the definition of policies, programmes and actions for promotion of gender with particular attention to Women, being its deliberations of obligatory compliance to its members, although not binding the Ministry of Family and Promotion of Women. This Council exists at national and provincial level.

The Ministry of Family and Promotion of Women in 1997 submitted to the approval of the Cabinet the Strategy for the Promotion of Women by the year 2000, pursuant to the recommendations by the Dakar and Beijing Conferences. This document contained the following areas of preoccupation:

- Participation of Woman in the Peace Process
- Women and Poverty
- Education and Training of Women
- Women and Health
- Women, Culture, Family and Socialisation
- Women and Environment, Management of Natural Resources
- Women Political Emancipation
- Rights recognised by Law, Human Rights and Violence against Women
- Preparation, Use and Generalisation of data aggregated by sex
- Women, Information, Communication and Arts
- The Girl child

The implementation of this strategy was of the responsibility of the Government and counted on the participation to a large extent of a wide range of institutions, either public or private, and Non Governmental Organisations.

The main activities carried out by MINFAPW were:

Project ANG/97.P03 – Project of Support to Gender Issues and Women's Promotion.

The First Phase of the Project was implemented in all provinces of the country from September 1997 to August 2000 , with the financial assistance from UNPFA and technical support from UNIFEM Southern Africa's Regional Office. The activities of the Project were:

1. To enhance the institutional capacity at national level of the Ministry of Family and Promotion of Women as well as of a few National NGO's, the civil society, churches, the media, Focal Points, in the fields of:
   - Gender analysis, training and sensitisation,
   - Strategic planning for gender interventions,

- Formulation, planning, implementation and monitoring of projects in the area of gender and community development,
- Networking at local, national, regional and international level.

To formulate and disseminate the Strategic framework Programme, including activities for sensitisation and advocacy/gender with political and parliamentary leaders, other influential groups of women and the focal points of ministries, in addition to national NGO's.

2. To promote and enhance the coordination mechanisms and networks between MINFAPW and other partners.

Activities implemented were:

- Establishing Focal Points in all ministries and Departments at central and local level;
- Capacity building actions in gender, advocacy and leadership, for MINFAPW experts, focal points, NGO's, associations and churches;
- Seminars on gender for MP's, ministers, governors and journalists;
- Creation of Statistics and Research Unit for collection and treatment of information;
- Creation of a group of 9 gender trainers;

Implementation of Project ANG/97/010 – Peace building and promotion of development opportunities for Youths and Women, from May 1998 to October 2002, conceived to contribute for the consolidation of the peace process, through the promotion of development activities among vulnerable groups and of youths and women, based on local initiatives meant for a major self-reliance and sustainable human development. This project is regional and funded by the UN Development Programme and Norway's Fiduciary Fund, covering Angola, Sierra Leone, Mozambique and Liberia.

Main activities developed in the course of the project:

- A total 15 projects were identified and thoroughly discussed based on the objectives planned, on the one hand, and, on the other, in line with the rotative fund made available, as well as the characterisation of the security situation of the time in some regions of the country.
- Six projects were executed being, five in the field of micro-credit and one in the field of Education for the Culture of Peace. The provinces of Luanda, Kwanza-Sul and Bengo were covered by these activities both in the field of education for the culture of peace and low-income activities.

Other activities developed with the participation of social partners:

- Periodic meetings of National and Provincial Councils for the definition of the National Family Policy;
- National and Provincial Forums for the definition of programmes for the benefit of rural women;
- Implementation of the experimental phase of the Micro-Credit Programme in two provinces;
- Consolidation of coordination mechanisms for partners;
- Regular meetings with Focal Points of Ministries for exchange of information;
- Coordinating the campaign on the 16 Days of Activism Against Gender Violence;
- Studies on Violence against Women in Angola;

After the special Session of Beijing +5, MINFAPW prepared through a consultation process and with the assistance from the Project Ang/P03/UNPFA "Strategy and Strategic Framework for the Promotion of Gender Equality by the year 2005 "approved by the Cabinet on November 7, 2001". SPG contains the main topic areas:

- Poverty (economy, environment and natural resources)
- Education (education, information, communication and arts, culture, socialisation and family, science and technology)
- Health (for children, adolescents, adults and the elderly)
- Citizens Rights (participation in the peace, political emancipation, violence and gender)
- Children's Rights
- Non Aggregated data by sex
- Institutional Mechanisms

And the following objectives:

- To secure equal opportunities for boys and girls in the access to all levels of education
- To eliminate negative cultural attitudes and baneful practises halting the participation of women in the public and political field
- To improve the level of population awareness on reproductive health and HIV/AIDS
- To secure the participation of women in the prevention, management and resolution of conflicts and peace process
- To improve the status of women towards their participation in the political decision making process at all levels
- To revise the civil code, the family code and penal code, aiming to implement the national and international legal instruments and disseminate the legal tools protecting women and children
- To make women visible at all levels and in all types of data
- To improve the institutional capacity of MINFAMU

The Standing Commission of the Cabinet approved on November 13, 2002 the budget for the Strategy, effective from January 2003.

Thanks to the work of MINFAPW, a number of Women's Associations have emerged at the level of the Parliament and the Civil Society.

- Ministers and Parliamentary Women's Network, established in 1999, congregates women in decision making posts, namely Ministers, MP's, ex-Vice Governors, Ambassadors, former Ministers and former MP's, with the objective of concerting ideas for the gender issues to be taken into consideration in the formulation of policies. Priority in its working programme currently goes to the legislative issues i.e. they work to ensure that laws for Women protection are rapidly approved by the Parliament.
- Women Network/Angola, formally established on August 4, 1998 is a forum of non governmental organisations, community organisations, associations, government institutions, UN system donors and individuals, with voluntary, non partisan character and without profit making purposes whose mission is to contribute for the promotion of equality between women and men, The Women Network coordinates the monitoring of the Beijing Platform and of the CEDAW at the SC level.

- Federation of Angola Undertaking Women: Set up on 23 November 2001, after a nation-wide consultation process with businessmen, is concerned with the promotion of women in the business sector.

Article 5

States Parties shall take all appropriate measures

a) **To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women.**

b) **To ensure that the family education includes a proper understanding of maternity as a social function and the recognition of the common responsibility of men and women in the upbringing and development of their children, it being understood that the interest of the children is the primordial consideration in all cases.**

The norms followed by most ethno-linguistic groups are based on the patriarchal values, which traditionally grants men the role of head of the family. Due to the war, in those households where there is absence of men, women have assumed the new roles, won new skills and assumed another status. Women are in most cases the single source of income. They repair and construct houses, they negotiate with the traditional and local authorities and take up leadership posts on the community committees. However, work overload has not reduced for lack of such facilities as crèches, laundries, access to potable water, and firewood.

The issue of gender in the context of the education system deserved particular analysis at a workshop jointly organised by the Ministry of Education (ME) and MINFAPW, in April 1999. It reached at the conclusion that it is necessary to put in place safe and reliable mechanisms with a view to encouraging and stimulating the access and promotion of women in general and the youths in particular in the education system.

A national indicative programme on education for girls in the 1999/2000 period was prepared. It contains the guidelines for the securing of education

for girls and pursues, among others, the objectives below:

- To prevent gender stereotypes in classrooms;
- To promote equity between sexes;
- To implement educational policies and strategies conducive to the development of girls.

Under the recommendations from the seminar, a workshop on training gender educators was held in November same year. Trained were 20 school teachers of Luanda province with a financial sponsorship from UNDP.

ME prepared a programme named "National Gender Programme in the Context of the Educational System, 2001-2005". In order to make the programme operational, a group named "National Gender Commission" was created. An experimental study is underway in four provinces of the country.

With a funding from the UNPFA, MYS is implementing since 1998 a multisectoral project which includes the Ministries of Social Assistance and Reinsertion, of Education and Culture

and of Health, named "Education for the Family life, Gender, Sexual and Reproductive Health in Adolescents and Youths.
Also known as JIRO, it aims at educating and guiding the adolescents and youths for positive behaviours in the issues related to the themes of the project. A hundred youths were trained in the course of the Project which has seven counselling centres and seven reproductive health centres. The functioning of the counselling centres is secured each by two social assistants, whereas those of reproductive health are manned each by two nurses all trained in new concepts of reproductive health. In addition, the Project has trained 62 school teachers in the matter of population to complement the contents of the subjects of geography, biology and moral, civic education.

Violence against women

Lack of efficient law enforcing mechanisms, the coexistence of the positive and consuetudinary law, effectiveness of laws promulgated in the colonial period about 200 years old and the ignorance by the population, particularly the women, of their actual rights are factors contributing for a situation of constant violence against women and girls.
When there are abuses against a women either at the family level or at work level, she finds numberless obstacles, as the police institutions are not duly sensitised to attend to such cases. Cultural and traditional factors also play against women as the women is always to blame and must accept violence as being part of the way of life of the Angolan woman.
Many times, and yet because of those cultural and religious factors, it is the women themselves who, influenced by the families, end up withdrawing their claims against the husbands, simply for the fact of their being the fathers to their children and/or they argue the family bread winning and in many cases the sole source of incomes.
To enhance the attendance work done for the Non Governmental Organisations, MINFAPW and Angolan Women's Organization (AWO), (which established the first centre for violence victims in 1987) organised a seminar on Legal Counsellors in Cabinda province.
Taking into account the huge demand for this service, the Ministry of Family and Promotion of Women has created a Family Counselling Centre since year 2000, which is concerned with providing legal assistance to the populations, educate and inform them on their rights, give psycho-social assistance to the victims of violence.
In the year 2001, in February, a Cooperation agreement was signed between the Lawyers' Association of Angola and the Ministry of Family and Promotion of Women with the aim of assigning Lawyers to the Centre for legal assistance to victims of violence or persons directly and indirectly involved. This work of attending to the victims of violence is also done at the level of all provinces of the country. Some non governmental organisations like AWO (in all provincial capitals) and AVIMA (in Benguela province) have Centres for attendance to women victims of violence. The AWO Legal Counselling Centre was created in 1986 and has offices in four provinces: Benguela, Luanda, Cbinda and Huila. AWO in 2000 created in Luanda the Shelter House for women victims of violence.
The main causes of identified in the period from 1999 to 2002 at MINFAPW and AWO Counselling Centres are as follows:
Cases attended to:

Bodily offences		1,956
Non compliance in food delivery		2,500
Goods sharing		1,280
Threat with arm (white)		170
Threat with arm (fire)		224
Defamation		35
Psycho-moral violence		1,280
Paternity denial	1	850
Labour conflict		710
Expulsion from home		1,650
Violence of Minors		120
Household abandoning		550
Petition for Divorce		350
Total		11,675
Cases settled by MINFAPW and AWO via counselling		8,756
Cases referred to the Bar for legal sponsorship		2,335
Outstanding cases		584

Cases going beyond the competence either of MINFAPW or of AWO are referred to the competent organs i.e. the National Criminal Investigation Directorate or the Courts (the Family Hall, Civil Hall and Administrative).

As far as the follow-up of the cases attended to is concerned, either by the Counselling centre of MINFAPW or that of AWO, there is always the concern of following up the evolution of the cases, and in most cases up to the final outcome of the affair.

The Ministry of Home Affairs, through the National Criminal Investigation Directorate, has the mission of receiving specific cases of this nature and give the necessary treatment. Likewise, the Ministry of Home Affairs has been improving the conditions of women mothers in the prisons by creating crèches for the children of the prisoners.
The media reports on the cases of violence with greater attention, denouncing the acts of violence, counselling the victims and doing the lobbying and advocacy.

The role of the Civil Society in fighting violence against women.

Since 1997, MINFAPW, Women Network/Angola, AWO, the Association of Women Lawyers and other Women' Organisations have been conducting campaigns on the 16 days of activism against gender violence, offering information material and debates on Radio and Television, at schools, police stations, visits to prisons, meetings with the Attorney-General of the Republic and in provinces, and with the National Assembly Speaker. The 1999 campaign was opened by the Home Affairs Minister.

In a joint action between Women's Network and AWO, two training seminars were conducted in 1998 with one directed to 44 police officers in Luanda province and the other to 8 journalists.

Article 6:

States Parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women.

The situation of sexual and commercial exploitation of women and children in Angola does not differ much from that faced in other countries. However, it is manifestly perverse in Angola due to the effect of war and poverty.
Prostitution is not considered as crime in the law. But morally it is regarded as an attempt on bashfulness.
Angola submitted the signing of the Convention on transnational organised criminality and its respective protocols for suppression. It also submitted the signing of the Convention for the Suppression of the Dealing of People and the Exploitation of Someone Else's Prostitution.
The Standing Commission of the Cabinet approved under Resolution 24/99 of 20 October the "National Plan of Action against the Sexual and Commercial Exploitation of Children in Angola" presented by the National Children's Institute.
The guarantee of the rights of the exploited victims of abuses, ill-treatment and violence as citizens securing them their effective exercise and providing them with opportunities which can allow them to live with dignity;
Legal responsibility of the exploiters, abusers and violators, through fact finding and applying of the law with adequate sanctions, with the objective of undoing or weakening the exploitation "networks" and consequently breaking the impunity.
In Angola there are a few organisations of support to girls sex workers, namely the "Casa Polivalente" in Huila, which has a programme for capacity building in sewing for girls. The AJSE in Luanda, has a recovery programme for education and sensitisation and the FISH which is an organisation of youths offering medical assistance and running an integrated training programme.

Article 7

States Parties shall take all appropriate measures to eliminate the discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right:

a) **To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies;**
b) **To participation the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government;**
c) **To participate in non-governmental organizations and associations concerned with the public and political life of the country.**

The right to vote is provided in the Constitution Law, Law 23/92 in its article 20: "Every person has the freedom of assembly and of pacific association".
The election law, Law 5/95 (of 16 April 1992) states "that electoral capacity
is granted to every angolan citizen from the age of 18 (article 10), being this exercise personal, secret and inalienable (Art 5) .
The first free and fair elections took place in September 1992. The representation of women in the parliament and local assemblies was until 1992 of 15.5%, at the central level and 15.7 at local level. This reduction stemmed especially from the fact that the majority of political parties almost did not propose women candidates and from the poor participation of women in the political parties.

Representation of women in the political life

Position	Total Women And Men	Number of Women	Number of Men
Members of National Assembly	220	36	184
Speaker	1		1
Vice-Speakers	2		2
Secretaries	4	1	3
Commissions Chairs	9	3	6
Parliamentary Bench Leaders	12	1	11
Vice-Leaders	7	2	5
Secretaries	6	2	4
Political Party Leaders	150	1	149

Source: Ministry of Family and Promotion of Women, 2002

Two women hold important commissions like those of economy and finance; education culture, science and technology;
Of the 12 political parties with seat in the parliament only three have women represented: MPLA with 27 women of the 129 seats, UNITA 6 women of the 70 seats, PLD 3 women of the three seats.
The representation of women in the public is poor (9.5%) if compared to that in the period until 1992 which was of 20%.

Representation of Women in Public Life

Position	Total Women and Men	Number of Women	Number of Men
Ministers	29	3	26
Vice-Ministers	45	5	40
Secretaries of State			
Advisers to the President of The Republic		1	
University Chancellors	3	0	3
Chief Executives with Public Companies		1	
Provincial Governors	18	0	18
Deputy Governors	37	0	37
Municipal Administrators and deputy administrators	321	5	316
Communal Administrators And deputy administrators	509	5	504
Traditional Leaders	4032	51	3981

Source: Ministry of Family and Promotion of Women, 2000

Three women hold the cabinet posts of health, planning and family. The situation remains worse at the provincial and local level levels. Before the multiparty elections two women were holding the posts of vice-governors. The posts of governors and vice-governors in the 18 provinces of the country are all held by men in the appointees system.

The media organs are mostly dominated by men. Of the 18 provincial stations of public radio only one is run by a woman. Of the 4 privately owned radios one is run by a woman.

Many organisations have emerged and others are still emerging in the light of the Law on Associations, Law 14/91 of 11 May, and are implementing programmes on the promotion of the rights and free expression. Of the 150 political parties, in a multiparty system, only one is led by a woman, who stood in the elections of 1992 for the post of president of the republic.

Most political parties have women's wing. These organisations in partnership with other groups of women have been developing actions towards a major representation of women. The goal is

30% by the year 2005, in line with the Gender Promotion Strategy approved by the Government on 7 November 2001 and the 1997 SADC Declaration of the Heads of State on Gender and Development.
The *Rede Mulher/Angola* (a Gender Organisation Forum), the Women
Ministers and Parliamentary Network and the Group of Women MP's act as pressure groups for the inclusion of more women in the structure of power and decision making.
Like what happens to political parties, the UNTA and CGSILA unionist confederations have national committees for women whose leadership is held by women.
The Women NGO's are a space in which women gain experience in decision making. In about 300 organisations only the Angola Civic Association is chaired by a women.

Representation and participation of women in Justice Services

Position	Total Women and Men	Number of Women	Number of Men
Chief Justice	1	0	1
Supreme Court Counsellor Judges	12	1	11
Audit Court Chief Judge	1	0	1
Audit Court Counsellor Judges	4	2	2
Law Judges	67	8	59
Municipal Judges	23	4	19
Public Magistrates	187	24	163

Source: Ministry of Family and Promotion of Women, 2002

Article 8

States Parties shall adopt appropriate measures to ensure to women, on equal terms with men and without any discrimination, the opportunity to represent their Governments at the international level and to participate in the work of international organizations.
Representation and Participation at International Level

The Ministry of External Relations is the governmental institution concerned with the execution of the Foreign Policy of the Country.
Recruiting of personnel for the diplomatic career is made through public bid, without sex distinction.

The appointing of ambassadors is of the competence of the President of the Republic under proposal by the foreign minister. From counsellor ministers
to third secretaries are appointed by the minister.
The opportunities to increase the number of women in diplomatic posts have been scarce. MIREX has been applying the gender policy timidly. From 1997 to 2002 the number of women appointed to diplomatic posts increased.

Representation and participation of women in the Diplomatic Field

Position	Total Women and Men	Number of Women	Number of Men
National Directors	17	2	15
Heads of Department	36	8	28
Ambassadors	78	6	72
Counsellor Ministers	56	12	44
Advisers	53	11	42
1st Secretary	75	13	62
2nd Secretary	63	26	37
3rd Secretary	14	5	9
Attaches	22	5	17
Consuls	14	2	12

Source: Ministry of External Relations, 2002

Representations to Regional and International Organisations

Angola has diplomatic representations in many countries, and is a member of the United Nations, of the African Union, SADC and CPLP. Two women hold the post of ambassador (United States and India). One holds the post of Executive Secretary of the Inter-African Coffee Organisation and another as Adviser for Gender Issues at the Community of Portuguese Speaking Countries.

Participation in International Conferences

Angola is a party to most United Nations Conventions and participates since 1975 in the United Nations Conferences on Women as follows, (among others):
1st United Nations Conference on Women/Mexico – 1975
2nd United Nations Conference on Women/Copenhagen – 1990
3rd United Nations Conference on Women/Nairobi – 1985
International Conference on Population and Development/Cairo – 1994
African Regional Conference on Women/Dakar – 1994
4th United Nations Conference on Women/Beijing – 1995
United Nations Conference on Human Settlings Habitat II/Istanbul – 1996
United Nations General Assembly
Meeting of the Committee on Women Status – 41st, 42nd, 43rd, 44th, 45th, 46th, Sessions at New York
International Conference on Family Policies and Plans of Action/Canada – 1996
17th and 18th Meeting of the African Coordination Committee for Women Integration in Development Addis Ababa, 1996 and 1997
18th Meeting of the African Regional Committee of Women MP's/Tanzania – 1996
Conference on Women MP's/Namibia – 1997
Conference on Gender Equality/Swaziland – 1997
First Ladies Summit on Peace/Abuja – Nigeria – 1997
8th Congress of the Pan-African Women's Organisation/Zimbabwe
International Conference on Adults Education/Germany – 1997
SADC Conference on Prevention of Violence Against Women/Durban – South Africa – 1998
Conference pf Solidarity Towards Women/Cuba – 1998
Western and Southern Africa Sub-regional Conference on Implementation of Dakar and Beijing Platforms/Seychelles – 1999
Pan-African on the Culture of Peace/Zanzibar – Tanzania – 1999
Conference on Prevention and Management of Violence against Women and Children/Zimbabwe – 1999
Conference on Assessment of the Dakar Platform +5/Addis Ababa – 1995 United Nationals General Assembly Special Session on the Assessment of Beijing Platform+5/New York – 2000

Article 9

1. States Parties shall grant women equal rights with men to acquire, change or retain their nationality. They shall ensure in particular that neither marriage to an alien nor change of nationality by the husband during marriage shall automatically change to nationality of the wife, render her stateless or force upon her the nationality of the husband.
2. States Parties shall grant women equal rights with men with respect to the nationality of their children.

1. The first Angolan law on nationality, approved in November 1975, would not grant angolan nationality to a foreign citizen marrying an angolan citizen, for the simple fact of the

marriage. Also, the Angolan woman would not lose nationality for the fact of the marriage with a foreign citizen, unlike what was happening with other legislation of discriminatory nature. This principle was safeguarded by the Law 8/84 and is kept in the current Law 13/91 of 11 May.

Article 12 of the latter, Law 13/91, altered the previous situation by allowing a foreign citizen married to an angolan citizen to acquire the angolan nationality provided she applies for it.

If the foreign citizen loses her or his citizenship for the fact of the marriage, acquires *ipso facto* the angolan nationality. In addition to this article 12 the declaration of nullity or cancellation of the marriage does not prejudice the nationality acquired by the spouse who contracted it in good faith.

In the field of the relations of international private law the provision of article 52 of the Civil Code is considered as unconstitutional due to its discriminatory content. It provides for the application of the national law of the spouse to the matrimonial relations. This position is adopted in our jurisprudence.

In principle, the law applicable to the matrimonial relations in the case of distinct nationalities of the spouses will be that of the common residence.

With relation to the nationality of the children, our law highlights as most relevant consequence that of the right to the nationality of origin.

All laws on nationality which have come into force since independence always gave privilege to the nationality based on the rule of *jus sanguini*,

being considered as angolan citizen of full rights the child to an angolan

citizen (man or woman) either born in Angola or abroad.

The law on nationality in force (Law 13/91 of 11 May) also provides in its article 9 that entitled to the right to the nationality of origin is the child to a father or mother of Angolan nationality either born in Angola or abroad, in what makes the law much comprehensive.

In the relations of international private law, the law applicable must be the national law of the child, and articles 55 and the following of the Civil Code, are hence considered as revoked, for being discriminatory in themselves.

These general principles are as a matter of fact enshrined in the United Nations Conventions on Children's Rights, which in its article 7 provides as well that the children have the right to be registered immediately after their birth, to have a name and to acquire a nationality, and, as much as possible to know their parents and be looked after by them. Article 8 of this Convention secures to the children the right to preserve their identity, the name and the family relations.

We should hence understand that these personal rights must be considered today as *fundamental rights* of every human person.

Article 10

States Parties shall take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education and in particular to ensure, on a basis of equality of men and women:

a) The same conditions for career and vocational guidance, for access to studies and for the achievement of diplomas in educational establishments of all categories in rural as well as in urban areas; this equality shall be ensured in pre-school, general, technical, professional and higher technical education, as well as in all types of vocational training;

b) Access to the same curricula, the same examinations, teaching staff with qualifications of the same standard and school premises and equipment of the same quality;

c) The elimination of any stereotyped concept of the roles of men and women at all levels and in all forms of education by encouraging coeducation and other types of education which will help to achieve this aim and, in particular, by the revision of textbooks and school programmes and the adaptation of teaching methods;

d) The same opportunities to benefit from scholarships and other study grants;

e) The same opportunities for access to programmes of continuing education, including adult and functional literacy programmes, particularly those aimed at reducing, at the earliest possible time, any gap in education existing between men and women;

f) The reduction of female student drop-out rates and the organization of programmes for girls and women who have left school prematurely;

The same opportunities to participate actively in sports and physical education;

g) Access to specific educational information to help to ensure the health and well-being of families, including information and advice on family planning.

The Constitution Law of Angola in its article 31 defines that "the State, with the collaboration of the family and of the society must promote the harmonious development of the personality of the youths and the creation of conditions for the effecting of the economic, social and cultural rights of the youth, namely in the education, in the professional training, in the culture, in the adhesion to first employment, in the work, in the social, in physical education, in the sports and in the enjoyment of free time". Article 39 defines that "the State promotes the access of all citizens to education, to culture and to sport, securing the participation of the different private agents in their effecting under the terms of the law".

The Government of Angola recognising education as a human right and an essential tool to reach the objectives of equality, development and peace, defined it as one of its top priorities, and its educational policy is based on the principle of equality of opportunities for both sexes, on the right of the children to education and on the reduction of illiteracy.

From the very beginning of its implementation, the education system in Angola has been negatively affected by three fundamental problems: limited access, law quality and poor funding for its expansion and quality.

Particularly worrying and seriousness are the characteristics of the current system: deficient coverage, bad quality of education, high rates of fails, school drop-outs and poor investments, particularly for basic education.

Angola has one of the highest rates of literal illiteracy of the economically active population, being 50% for men and 70% for women.

The education system in force was approved in 1977 and implementation started 1978, consisting of 3 subsystems namely: Basic Education, Technical-Professional Education and Higher Education, whose educational structure can be summarised as follows:

General Basic Education of 8 grades, structured into three levels the first of which with 4 grades (compulsory) and the two others with two grades each, which were also to become compulsory in so far as the conditions permitted.
The new education system approved by the National Assembly on 13 June 2001, substantiated in the Basic Law on the Education System, establishes six education subsystems, namely:

- Pre-School Education subsystem (0 to 5 years of age)
- General Education subsystem (6 to 14 years of age)
- Technical, Professional subsystem (14 to 18 years)
- Teachers Training subsystem
- Adults Education subsystem
- Higher Education Subsystem

Disparity in the access to school

The population growth rate of 2.9% per year has contributed for an increase in children without opportunity of access to education.

Distribution of pupils by the different School System Levels

According to a study by the Norwegian Agency for Development (NORAD) on General Education in Angola, 1,258,867 children in school age attended school in 1997 (not including the high level). In the age group of 6 to 14 years, 41% of the children remained out of the system (a difference of 50, 000 students).
Table below shows the distribution of students by the different levels of the educational system (not including the high level), in 1997.

Table on distribution of Pupils by the different levels of the School System

Level	Pupils Total	Girls	%Girls	% each level
Beginners	157,493	42,868	27.2	12
1st Grade	853,658	402,934	47.2	67.8
2nd Grade	132,336	61,677	46.6	10.5
3rd Grade	69,797	33,000	47.4	5.5
Special Education	937	256	27.3	0.1
High Education	37,667	4,315	11.5	3.0
Higher Education	7,916	3,099	39.1	0.6
Total	1,258,867	576,159	45.8	100.00

Source: Summarised sectoral study 1999
These data show that more than two thirds of children in school age are attending the first level of Basic Education, and that between the first and the second levels there is a significant drop. Only 3% continue up to High Education and less than 1% reach University.

There is a slight gender disparity in the Basic Education, favouring the boys, with a downward trend in the most advanced levels. Proportion of children (5-18 years) who have never been to school by area of residence and sex.
In the analysis of the degree of access to education by the age group ranging from 5 to 18 years, corresponding to 2/5 of the population inquired in the ambit of the MICS, school abandoning is also very high and constitutes a preoccupation and, according to MICS, is higher in the age groups above 10 years.
Main reasons for non attendance of School and School abandoning:

Main reasons for non attendance and abandoning of School	Urban	Rural	Total
Availability of resources in the sector	21.2	38.6	34.6
Socio-Cultural reasons	12.6	14.6	34.6
Socio-economic reasons	18.6	13.2	15.4
Health problems	9.2	10.3	9.9
Other reasons	28.0	19.9	5.6

Source: Ministry of Education

According to statistics from the ME Department of April 2000, due to military conscription, in the last two years the number of girls tends to surpass that of boys in the 3rd Level Basic Education.
With the liberalisation of the Education sector, the private schools have started to offer an alternative for the families.
Currently, apart from the Public University, there are three privately owned Universities, whose monthly fee goes from USD250.00 to 300.00. All these higher education institutions are based in the country's capital.

Success of Women in Professional Training, Science, Technology and Permanent Education.

The Public University in 1997 counted on an universe of 7,916 students, 39% of which were women.
With regard to the attendance of courses, women preference seemed to go to the areas of pedagogy, followed by Economic and Legal Sciences, Medicine, Engineering and finally Agrarian Sciences.
This general conclusion is in itself symptomatic of the influence of social preconceptions in the choice of professional options by women.
This situation matches with the trend recorded in the professional training and capacity building in which the women's option goes to courses in the
areas of Administration, Secretarial, Sewing, Confections, Cooking.

University Education

As far as the context of the University is concerned, a few aspects should be especially highlighted:

- With the creation of the Ministry of Science and Technology (whose status has already been published), an organ of the Central Government in charge of coordinating and promoting the scientific and technological development, new and better prospects are glimmering in the support to scientific activity of University;
- The functioning of the Private Universities in Luanda has come to widen the local supply and halt UAN from getting more competitive. The courses offered by those Universities (partly overlapping with those lectured at UAN), has created a market of training actions for lecturers and students.

AGOSTINHO NETO UNIVERSITY STAFF/1997 DISTRIBUTED BY SEX

COURSE	M	F	TOTAL
SCIENCES	397	268	665
AGRARIAN SCIENCES	190	110	300
LAW	589	302	891
ECONOMICS	670	445	1115
ENGINEERING	486	135	621
MEDICINE	244	262	506
ISCED/BENGUELA	327	219	546
ISCED/HUAMBO	381	248	629
ISCED/LUANDA	891	814	1705
ISCED/LUBANGO	642	296	938
TOTAL	4817	3099	7916

Source: Ministry of Education

As far as enrolments are concerned, the report on the situation of children in Angola notes that they have expanded in the last two decades: 30,000 students or less 2.5% of the total enrolments in all levels of education in 1994/95.

FUNDING AND EDUCATIONAL REFORMS

Although the State is the main source of funding for education, the resources destined to this sector, even if aggregated to the contributions of development partners, families and a few scarce incomes of the school, are much below the indispensable financial resources.
Indeed, a survey into the State spendings on Education in the period from 1992 to 1996 shows that the State Budget amount allocated to the sector never reached the 10% of total budget executed after 1992(!). This percentage falls far below that of most African countries some of which spent in 1993 more than 20% of the budget on expenses with Education.
Expenses with education in the GDP percentage lowered to 1.8% in 1994 and slightly rose in 1995 to about 2.5%. Still, the proportions are very low as compared to those of most African countries.
Concerning the educational reform in the legislative field, the draft basic law on the Education System, apart from confirming the right to education establishes a compulsory education of 6

years. With regard to the principle of free education which is limited to the primary level, it states that gratuitousness only applies to enrolment and assistance.

1	Gross enrolment rate	MF	M	F
	Primary school	81%	87.2%	75.3%
	Secondary school 1st cycle (I,II,III levels)	19%	20.%	17.2%
	Secondary school 2nd cycle (high)	6.1%	6.5%	5.7%
	Higher school	0.7%	0.8%	0.6
2	Net enrolment rate			
	Primary school	48%		
	Secondary school 1st cycle (I,II,III levels)			
	Secondary school 2nd cycle (high)			
	Higher school			
3	Average promotion rate			
	Primary school	53.5%	60.9%	46.1%
	Secondary school 1st cycle (I,II,III levels)	53.9%	62.8%	45.0%
	Secondary school 2nd cycle (high)			
	Higher school			
4	Average reference rate			
	Primary school	22.4%	18.6%	29.6%
	Secondary school 1st cycle (I,II,III levels)			
	Secondary school 2nd cycle (high)			
	Higher school			
5	Withdrawal rate			
	Primary school	24.1%	18.6%	29.6%
	Secondary school 1st cycle (I,II,III levels)			
	Secondary school 2nd cycle (high)			
	Higher school			
6	Boys attendance			
	Primary school	54%		
	Secondary school 1st cycle (I,II,III levels)	45.2%		
	Secondary school 2nd cycle (high)	46.8%		
	Higher school	41.5%		

A few statistical data on the regular basic education and alphabetisation

	pupils		Passes		Fails		Withdrawal		Teachers		Graduates
	%m	%f	%m	%f	%m	%f	%m	%f	%m	%f	%m
I level**	53.2	46.8	63.5	52.2	19.3	29.3	17.2	18.5	63.3	36.7	62.2
II level	53.3	46.7	68.5	62.3	21.6	26.8	9.9	10.9	68.6	31.4	66.2
III level	50.3	49.7	67.0	67.4	20.0	21.1	13.0	11.4	75.9	24.1	73.8

Students and Teachers in the regular basic education

	Students		Teachers	
	Mf	f	mf	f
I Level**	11,597.46	54,243.30	44,700.00	16,374.00
II Level	15,292.90	54,243.30	8,092.00	2,544.00
III Level	75,335.00	37,437.00	5,064.00	1,218.00
Total	13,880.10	65,122.40	57,b56.00	20.136.00

Source: Ministry of Education

Analysis by gender shows that among the teachers there are 634 (80%) men for 162 (20%) women.

Elimination of illiteracy among Women

The rate of illiteracy in women is 70% to 79% what explains alone the uncontrollable work the Government and its social partners have to address. Of the adults with the age of 19 years or higher, with major incidence on women, 3/4 never went to school or stayed there enough time to reach the level of commanding the reading and the writing.
In 1997, ME re-launched the National Illiteracy Campaign and education for adults (suspended in 1990) and gives priority to alphabetisation and training of women and girls. In the execution of the campaign ME counts on the collaboration of social partners like NGO's,
associations, churches. ME responsibility is the training of trainers, certification of the skills, donation of didactic basic material and, under the terms of a contract-programme, the remuneration of the trainers. Social partners are responsible for the mobilisation of the alphabetised and places for the administering of lessons.
Within the framework of the Swedish Embassy funds, under the management of the Rede Mulher, seven projects for member organisations were funded, being two in rural areas of the provinces of Huila, one in that of Benguela and three in the peri-urban area of Luanda province. Those projects are benefiting about 500 women.

Article 11

1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights, in particular:

a) **The right to work as an inalienable right of all human beings;**
b) **The right to the same employment opportunities, including the application of the same criteria for selection in matters of employment;**
c) **The right to free choice of profession and employment, the right to promotion, job security and all benefits and conditions of service and the right to receive vocational**

training and retraining, including apprenticeships, advanced vocational training and recurrent training;

d) The right to equal remuneration, including benefits, and to equal value, as well as equality of treatment in the evaluation of the quality of work;

e) The right to social security, particularly in cases of retirement, unemployment, sickness, invalidity and old age and other incapacity to work, as well as the right to paid leave;

f) The right to protection of health and to safety in working conditions, including the safeguarding of the function of reproduction.

2. In order to prevent discrimination against women on the grounds of marriage or maternity and to ensure their effective right to work, Stares Parties shall take appropriate measures:

a) To prohibit, subject to imposition of sanctions, dismissal on the grounds of pregnancy or of maternity leave and discrimination in dismissals on the basis of marital status;

b) To introduce maternity leave with pay or with comparable social benefits without loss of former employment, seniority or social allowances;

c) To encourage the provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life, in particular through promoting the establishment and development of a network of child-care facilities;

d) To provide special protection to women during pregnancy in types of work proved to be harmful to them.

3. Protective legislation relating to matters covered in this article shall be reviewed periodically in the light of scientific and technological knowledge and shall be revised, repealed or extended as necessary.

General Labour Law, approved in the year 2000, recognises the equality of treatment in work and employment. There is no sex-based discrimination.

Paragraph 2 (of which article): Consequence of the Equality and Non Discrimination

a) Access to employment;

b) Equality of opportunity and treatment;

Paragraph 3 of Article 164 (on the equality in the criterion for professional classification and promotion): equality in salary i.e., equal work equal salary.

But for potential risks to the genetic function, insalubrious and dangerous work as listed below is forbidden or conditioned:

- Subterranean work, conditioned to places or posts equipped with adequate and efficient risk eliminating equipment.
- But has not been regulated yet.

List of jobs forbidden to women;

The conditioning the women's work in these conditions is subject to (paragraph 4);

Periodic revision (p5); also regarding the duration and organisation of work (article 271).

The rest interval between the work shift of one day and the start of the work period of the following day is elevated to 12 hours, with the rule being of 10 hours, in accordance with paragraph 6 of article 97.

Also in accordance with the legislation, failure to provide night service without an authorisation from the Labour General Inspection (IGT) (item b, paragraph 1). IGT must respond in a 3 working days time, or the authorisation will be considered as conceded.
Authorisation granted in exceptional situations (p.2):
Situations beyond control - causing abnormal change to the functioning of the centre;
When the raw materials under preparation become susceptible of fast alteration, risking an inevitable loss if the work is discontinued; having given its
consent in case the work is organised into shifts.
Exception to failure to provide evening service (p.4)
Workers not exercising functions of leadership or technical character that involve responsibility;
Workers not dealing with the services of hygiene and well-being, since they normally never did manual work.
* Female employees subject to providing evening service for reasons mentioned earlier and who may have children below 10 years to look after must be given time off when they invoke and justify acceptable reason (p.5), remission to p.5 of article 104.

Maternity protection

Access to special rights conditioned by the employer's confirmation of the pregnancy through the presentation of the certificate issued by the health services, unless the state of pregnancy is evident, thus, the woman is entitled to the following:
- Refrain from activities not advisable for that condition, getting from the employer tasks that are adequate to her state (a);
- Not provide extraordinary work or be transferred... (b);
- Not being authorised to provide evening work under IGT (c));
The latter prohibition is applicable until three months after the woman gives birth, but may be extended if the need be for such extension is justified by a medical note.
- Not being dismissed in the 12 months subsequent to delivery, except if committing a serious disciplinary offence (d). (p.4)

Maternity Leave

- Three months maternity leave (p. 1);
- Start – 4 weeks before the predicted date (p. 2);

Exceptions :

- Extended Time - 4 weeks in case of multiple birth (p. 3);
- Extended time- as long as nine weeks if the birth occurs after the date predicted (p. 4);
- Prohibition from returning to work - if the female employee does not at least spends 6 weeks after delivery (p.5);
- Maternity allowance advance before - refunded by the Social Security service (p. 6);
- The leave counts as working time (p. 7)

Maternity Leave in case of abnormal situation (274)

- Abortion or still-born – 6 weeks compulsory leave, after occurring (p. 1)
- Death of the child before the leave is over (p. 2):
- The leave is discontinued six weeks after the birth;
- The employee re-starts working a week after the baby's death.

Complementary Leave (275)

- May be taken after the maternity leave is over;
- Lack of notice to the employee before hand and is not paid (p. 4).

Absence during pregnancy (276)

During the pregnancy period- up to 15 months after the birth, the female employee is entitled to take a paid day off work, every month, to give the baby personal and medical care.
Exception: right not to be cumulated in the post delivery period with part time service providing (remission to article 270).
Cancellation of Contract at the Employee's request (279):
The employee may cancel the contract, during the pregnancy up to 15 months after delivery, without the obligation of indemnity, as long as she notifies the employer a week before

.

Protection Against Dismissal (279)

During pregnancy up to 12 months after delivery, she is entitled to the special protection regime against individual dismissal.

Holidays complement (279)

A 1 day addition to the normal holiday per each child aged 14 or bellow;

Structure of Support to Children: Under the responsibility of the State with the collaboration of companies.

Active Female Population.

Considering the population estimates for 2002 setting at about 14,228,000 inhabitants, the female population is about 7,300,000 people.
Of the above female population it is estimated that the active female population is around 3,000,000 people.
Position of women in the civil service (no changes to the 1997 data)
Out of the 212,441 civil servants, 40 per cent are women.
The majority of women integrated in the civil service (75%) belong to administrative and assistance staff.

In terms of school attendance, about 21 per cent of women have not gone beyond primary school level and only 1.9 per cent have a university degree.

Difficulties

Place of Women in the Business sector

A survey conducted in the provinces of Luanda, Benguela, Huila and Cabinda, on the needs in women's professional training in the business sector, covered a total of 3,693 companies and 148,508 workers. It sought to find out information about the formal and informal market, separately by sex (2001 data).

In the formal sector of the angolan economy, the number of male employees is substantially higher that that of women employees. For each woman employed in the formal economy sector there are 6.2 men employed (2001 data).

The survey into the informal sector of Luanda (Mario Adauta) shows that the gross unemployment rate is about 32.3 per cent, and **among women is around 35.6 per cent, which is seven times higher than that of men.**

Unemployment rate shows deep disparities among the different population groups considered. It varies considerably in different age groups, showing high figures between the ages 10 to 19. These figures show a high index of school withdrawals the capital city which, added to poverty, drags this segment of the young population to the situation of inactivity.

Unemployment Rate by Sex and Age

Sex	Age Groups				
	10-19	20-29	30-49	50 & Plus	Total
Men	72.4	26.6	8.4	14.4	28.5
Woman	70.9	30.3	20.3	29.4	35.6
Total	71.6	28.7	14.8	20.8	32.1

There are no concrete figures on the real unemployment rate in Angola. Estimates contained in the report about Human Development in Angola (UNDP, Sept 1997) show that unemployment rate in urban areas in Angola is 30-35 per cent for the age group of 10 or above (these figure increases to 45% if the age group considered is from 7 years old and over). These are worrying figures and the situation of employment/unemployment goes worse if the child labour is considered.

Employment Market Behaviour in the year 2000

Provinces	Demand			Supply	Job Offer		
	Total	Men	Woman		Total	Men	Woman
Cabinda*	177	164	13	173	173	160	13
Zaire**	-	-	-	-	-	-	-
Uige*	7	5	2	5	5	3	2
Luanda	4326	3923	403	1831	1742	1568	174
Kwanza-Norte	111	102	9	107	107	98	9
Kwanza-Sul*	79	60	19	24	24	16	8
Malange**	-	-	-	-	-	-	-
Lunda-Norte**	-	-	-	-	-	-	-
Benguela	2047	1722	325	688	615	454	161
Moxico	469	353	116	248	248	200	48
Kuando-Kubango	3715	613	3102	235	228	137	91
Huambo	109	73	36	34	25	18	7
Bie*	27	25	2	27	27	25	2
Namibe*	302	224	78	189	189	131	58
Huila	2266	2027	239	199	187	151	36
Cunene*	908	574	334	288	288	151	137
Luanda-Sul	2634	2401	233	376	376	353	23
Bengo	812	743	69	237	230	179	51

Source: Employment and Social Security Ministry, 2001

Article 12

1. **States Parties shall adopt all appropriate measures to eliminate to eliminate discrimination against women in the field of health care in order to ensure, on the basis of equality of men an women, access to health care services, including those related to family planning.**
2. **Notwithstanding the provisions of paragraph 1 of this article, States Parties shall ensure to women appropriate services in connection with pregnancy, confinement and the post –natal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation.**

Primary Health Care
Main Causes of Death
Maternity and Child Death
Life Expectancy

Life expectancy for women is 44.2 and for men 40.7, totalling 42 years. Fertility rate is 6.9 children for each woman (MICS-National Institute for Statistics1997)

Fertility

Fertility rate for the whole country is estimated at 6.9 children for each woman.
Angola has a birth rate of about 51 per 1000.

Reproductive Health Services

Since 1986 Health Ministry has been carrying out programmes directed to maternity assistance. After the Cairo Conference (1994), it was started in 1996 the preparation of a Maternal Health Norm, already approved, aimed at improving the quality and security of maternity services, and the goal is to reduce to 30%, by 2005, the maternal death rate, at present reaching 1500 in 30%, and the priorities that have been set, in terms of services to be provided are:

- Prevention of mortality as well as maternal and neo-natal mobility
- Facilitate the access to family planning services
- Prevention and treatment of STD, including HIV/AIDS and breast cancer

Infrastructures

These services are provided in sanitary units (central and provincial maternity centres, peripheral delivery rooms and maternal-children health centres), in several provinces, but, mainly in capital towns, leaving aside rural areas and unsafe localities, due to the political and military instability until recently sweeping over the country. The present trend is to adopt a centralised attendance and cure model in resolving problems with poor involvement of the community. In the country, there are 1,032 health units working, divided into 8 national hospitals, 64 provincial hospitals, 201 health centres, 759 medical posts and 70 family planning rooms.
Nevertheless, some initiatives are on the way, aimed at promoting integrated and decentralised services, just like the experience from provinces of Luanda, Huila, Benguela and Malange.

Pre-natal consultations

According to the National Health Programme, there is a growing trend to search for pre-natal and post-natal services if taking into account that in 1998, the number of pre-natal consultations reached 171.307 and in 1999 it increased by 75%, whereas institutional births increased by 36% in comparison to the year 1998 which had about 72.390 cases of attendance registered.

Map of Pre-natal consultations

Indicators		Year	
		2000	**2001**
Estimated population of a Province ...		14.026.134	14.418.865
Women aged 15-45 (22%) ...		3.085.749	3.172.150
Expected pregnancies (5.2%)...		729.359	749.781
Expected births (4.3%) ...		603.124	620.011
Normal pre-natal Frequency	First time	295.799	28.297
	Returns	454.588	410.191
	Total	750.387	691.488
Ring of pre-natal Frequency	First time	51.962	39.075
	Returns	61.708	63.499
	Total	113.670	102.574
Vaccination against Tetanus	1st dosage	206.692	144.078
	2nd dosage	214.884	154.210
Number of institutional births performed	Babies born live	107.678	120.457
	Still-born babies	5.222	6.106
	Maternal deaths	834	948
Births according to the Number of patients	Babies born live	18.967	17.574
	Still-born babies	338	528
	Maternal deaths	0	0
Rate of institutional births...		775	787
Pre-natal cover...		41	38
% of detected ring...		18	14
%Institutional births		19	20

Source: National Directorate of Public Health, 2001

According to the National Maternal Health Programme, the situation is worrying, because, out of an estimated population of 12,525,000, women at fertile age from 15 to 45 represent 22%, and the estimates for pregnant women are 651,300 with an expected 538,575 births. Due to this pressure on health infrastructures the quality of service is faulty. The coverage of pre-natal assistance was only about 35%, and for institutional births only 18%, which leads to the conclusion that the majority of women give birth at home.

Traditional Midwives

The capacity building programme for traditional midwives emerges as an alternative to the non existence of maternal health centres or delivery rooms in rural zones. 1,862 traditional midwives were trained In 1997 in all provinces of the country. They were trained in all basic aspects for delivery attendance and were provided with kits containing essential working tools. Until June 1999, 1,306 midwives were trained. Of this total, 488 were integrated in the national

health network system (health posts, health centres and municipal hospitals). Due to war and the intense internal migrations their follow-up work become difficult.

Family Planning

The use of contraceptive methods is low. According to MICS only 8% of women in fertile age use contraception, being 13% in the urban area and 4% in the rural area.
The percentage of women or couples using a contraceptive method is also low. The coverage of the use of contraceptives is estimated at 1.8%.
The statistics available show that 3.8 pc of women in fertile age use the contraceptive method. Available for the programme is Depo Provera, combined Pill, mini pill, Postinor (following day pill), Neo-schampoo and condoms. Of these the most frequently used is Depo provera. Although available as permanent contraception method, ligature is less used. In most cases it is prescribed by clinical criteria in which the physician's opinion has much weight.

Broader Vaccination Programme

The vaccination programme in the above period kept up the efforts to meet the goals planned in the view of lowering the children's mortality and incapacity by seven immuno-preventable diseases. The vaccination goals outlined for the year 2001 were as follows:
For routine:
BCG .....55% - 340,958 children below 1 year of age
POLIO 3 .....50% - 309,962 children below 1 year of age
DTO 3 .....50% - 309,962 " " "
MEASLES .....55% - 340,958 " " "
YELLOW FEVER.....55% - 340,958 " " "
TT2 .....20% (2 Doses) - 605,506 women in fertile age
For supplementary vaccination against poliomyelitis the goal proposed was of 3,519,447 children below 5 years, in three vaccination campaigns with a month interval.
In general, routine activities in this period were developed in 101 municipalities and those of supplementary vaccination against poliomyelitis in 141 municipalities of the 164 the countries possesses.
Fixed posts were opened or reactivated in five provinces, namely:
Cunene - Reactivation of a post at the Mongua-Kuanhama-Humbe-Ombandja
Namibe - Opening of Cambongue compound fixed post
Malange - " Matilde " "
Bengo - " Catete "
K.Kubango - " Azul " "
Local vaccination campaigns against Poliomyelitis were conducted in 6 provinces (Bengo, Benguela, Bie, Huila, Luanda and Namibe).
We can see that the goal set for the BCG vaccine was surpassed by nearly 20%, perhaps due to a major sensitisation of mothers and also for the fact of existing a certain culture on the part of the families in taking the child to vaccination soon after birth, although for many time they are

unaware of which vaccine to take. Although the Polio and DTP vaccines coverage has not reached the goals planned, they were still higher as compared to those of 2000 year (33% and 31% respectively). This can be explained by the fact of the routine vaccine having a major geographical coverage in comparison with last year in which the routine activities took place in 85 municipalities only.

The coverage for Measles doubled as compared to last year (35%) , probably because of intensified vaccination in the last quarter of the year in all Provincial Capitals. Yellow Fever coverage almost doubled as well (24%), keeping however lower than that of measles which is conducted simultaneously due to the disruption by this antigen at the beginning of the year.

The withdrawal rates for all multiple application antigens are low.

Anti-tetanus vaccination during pregnancy prevents neo-natal tetanus in the newly born. In Angola, neo-natal tetanus is a common cause of neo-natal death.

To women in fertile age, the programme includes a 5-dose calendar
against tetanus and toxoid. It is recommended in Angola that the women be vaccinated at least for the first three doses, which protect them at least for a period of 5 years. The remaining does prolong the immunity between 10-20 years respectively.

Fertility rate for the whole country was estimated at 6.9 children per woman. Angola's birth rate is high ranging at 51 per 1000.

Abortion

According to a study conducted in Luanda hospitals in 1997, the main causes of maternal mortality were:

Direct

33% Haemorrhages
24% Abortion complications
17% Post delivery infections
14% High Pressure illnesses in pregnancy

Indirect

20% Malaria
Abortion

Worried about the problem of abortion, particularly the insecure one, in Luanda city above all, the Health Ministry decided to conduct a research. It counted on funding from the UNPFA and aimed at quantifying the size of the problem; to learn about a few characteristics of women who practise abortion, as well as of their companions, their behaviour towards family planning; the main determiners of abortion, and the most frequent complications.

The research was conducted from April to July 1999, at the Central Lucrecia Paim Maternity and at Kilamba Kiaxi municipal hospital, and covered 286 women hospitalised in the wake of unsafe abortion complications. The findings are:

- The main causes of abortion are rejection by the companion and lack of economic conditions.
- Haemorrhage as the most frequent complication, being the cause of three in each six maternal deaths.

Pregnancy in adolescence

Undesired pregnancies have a much big weight on maternal death in Angola. In many cases they end up in unsafe and illegal abortions with various grave complications like infections, infertility, fistula, anaemia and death. This has a negative impact on the woman and her family.

Study carried out at the Luanda Maternity Hospital in 1997 says:	Study carried out at Lucrecia Paim Central Maternity, Provincial Hospital
186 women interned subsequent to unsafe abortion: 44% of cases were aged between 15-19 years of which 1.4 were below 15 years and 79% were students 92% started sexual life before turning 20 years Of these 24% started sexual life before 15 years of age 42% got pregnant for the first time 18% of women has provoked at least 18% of abortions 16% of women attended family planning services	Augusto Ngangula and Kilamba Kiaxi Municipal hospital, a prospective survey to 286 women hospitalised in the wake of unsafe abortion: 91.6 % started before the age of 20 years and of these 24.4% before 15 years; 74.0% fell pregnant before 20 years; 41.6% were in first gestation. 17.1% of respondents declared they had had abortions before and of these 67.3 were provoked

PROGRAMME OF FIGHT AGAINST HIV/AIDS

Angola has all conditions for a higher HIV prevalence than that indicated in the statistics of the National Programme of Fight against AIDS. It is indicated that as many as 7,479 cases were diagnosed by April 2001, with an AIDS prevalence of 3.4% in December 2001 (latest data). The situation is even more serious if taking into account the prevalence rates in the region, about 20%. Testing and counselling services are concentrated in two cities, Luanda and Cabinda.

A study on the "Perceptions of Angolans on HIV/AIDS and their levels of human development" by the UNDP shows that most respondents were aware of the forms of transmission. However they are unaware of the forms of sexual contamination. As far the effect of the disease on the different social group is concerned the perception is that men have a more critical view of the situation of women.

Sex based inequalities constitute an important factor that prompts the epidemic of AIDS. To date there is no national inquiry on HIV prevalence. Prevalence in Luanda women with 18 to 40 years of age who attended pre-natal consultations at public health units show substantial increase in the last decade, from 1.1% in 1993 to 3.4% in 1999 and 8.6% in 2001. Huila recorded 4.4% and Benguela 2.6% in 2001, Cabinda 8% in 1998. Infection in pregnant women is high with 5% what means that there is a generalised situation or pandemic. Study with sex workers in Luanda shows that one in each three is infected.

Retroviral treatment for pregnant women although already approved by the Council of Ministers is not to be effected so soon.

Article 13

States Parties shall take all appropriate measures to eliminate discrimination against women in other areas of economic and social life in order to ensure, on a basis of equality of men and women, the same rights, in particular:

(a) The right to family benefits;

(b) The right to bank loans, mortgages and other forms of financial credit;

(c) The right to participate in recreational activities, sports and all aspects of cultural life.

Legally, there is no sex based discrimination in the access to credit. But the conditions required by financial institutions reduce the access possibilities since women are not possessed with goods to serve as real guarantee. In this context, they hardly rely on formal banking institutions for the funding of their activities, save rare exceptions, i.e., the women already running small or medium size businesses formally constituted.

To start a small business, women generally count on the solidarity of the family and/or of the community. The modalities they resort to in obtaining credit are part of "kixikila" or "dikelemba", a rotating fund formed by absolutely trusted people and who set out the rules for the functioning of the group, and the "kilape" that consists in the purchase of goods on credit basis.

Banco Sol is one of the financial products named Micro-credit Bank, with a specific policy whose borrower is a group of 5 people whose leader must be a woman.

RURAL WOMEN

Article 14

1. States Parties shall take into account the particular problems faced by rural women and the significant roles which rural women play in the economic survival of their families, including their work in the non-monetized sectors of the economy, and shall take all appropriate measures to ensure the application of the provisions of the present Convention to women in rural areas.
2. States Parties shall take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women, that they participate in and benefit from rural development and, in particular, shall ensure to such women the right:
   (a) To participate in the elaboration and implementation of development planning;
   (b) To have access to adequate health care facilities, including information, counselling and services in family planning;
   (c) To benefit directly from social security programmes;

(d) To obtain all types of training and education, formal and non-formal, including that relating to functional literacy, as well as *inter alia*, the benefit of all community and extension services, in order to increase their technical proficiency;
(e) To organize self-help groups and cooperatives in order to obtain equal access to economic opportunities through employment or self employment;
(f) To participate in all community activities:
(g) To have access to agricultural credit loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reform as well as in land resettlement schemes;
(h) To enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications.

Angola rural sector (agriculture, silviculture and livestock) is the second major productive sector of the country, next to the oil activity. Despite its contribution to the Gross Domestic Product (GDP) decreasing through the years, as a direct consequence of war, its importance is evident, by the volume of the population depending on it (probably between 60%-70%). Among them, women are the main producers of livelihood food cultures for their families. This population includes such risk groups as the displaced and a large part of the poor population of the country. Hence the rural sector plays a central role in the policies and strategies of the government. With the approval of Law 14/91 (law on associations), rural women have been taking part in community activities although in a timid way, mainly all projects from national and international non governmental organisations.

The Ministry of Agriculture and Rural Development prepared in 1996 an agricultural development programme never implemented due to military instability which restarted in 1998. The most important areas programmed in this strategy focused on:

- Macroeconomic management
- National food security
- Reactivation of rural economy
- Legal and institutional reform and staff training
- Management of environment, of natural resources and silviculture

The policy leaves out the gender issue. It considers that interventions on this should be made at the level of family aggregate. The Ministry has a gender focal point that works in the department of human resources of the Agrarian Development Institute.

Literacy Programme

Rural women are one of the groups marginalised by the education systems. About 90% are illiterate. In many communities there are no schools and, on the other hand, women are not in command of the Portuguese language. The Ministry of Education launched in 2000 a campaign for alphabetisation of rural women in national languages.

Health in Rural area

In Angola the access to sanitary assistance is free for the whole population, although the Government is preparing bills on the participation of the population in the expenses with health. The main difficulty in the rural area has to do with the lack of health infrastructures and skilled staff which were affected during the armed conflict. Due to the big distances separating the Maternity hospitals from rural zones, ONG's with assistance from the Health Ministry and through a selection process in the communities, train traditional midwives whose task is to sensitise pregnant women to adhere to pre-natal consultations, and to carry out clean deliveries. The programme includes exchanging of experience with provincial Maternity hospitals in order for the midwives to be able to identify risk situations.

Micro-credit programme for rural women

In the view of rural women empowering, MINFAPW has been implementing since 1999 a National Micro-credit Programme in seven provinces of the country (Luanda, Bengo, Cabinda, Kwanza-Sul, Benguela, Huambo and Namibe) and has benefited about 5,000 rural families. Chief objective of the programme is the alleviation of poverty. Components of the programme are as follows:

- To identify and prepare target groups by nature, importance and job opportunity and income to be obtained via micro-credit;
- To regularly survey and frame small business initiatives at provincial and local levels under the programme as a way of securing the access of the populations to small credits, especially women;
- To promote self-employment through launch of productive and service providing activities that can generate a regular basis for incomes, in order to improve the living standard of those populations benefiting from micro-credit;

Summary of Main Indicators on Rural Women

Main Indicators on Rural Women	Estimates
% Women in rural population	53.5
%Young girls (5-18 years of age)	35.0
%Girls under 1 year of age	4.5
%Girls aged 5 years or below	22.0
%Women in procreating age (14-49 years)	45.0
Average age	21 years
Median age	16 years
Fertility rate in urban women	7.0
%Women using contraception	4.0
% of Pre-natal coverage	51.0
% Home deliveries	90.5
Average school attendance years	0.9
%Women without a single year school attendance (potential illiterates)	59.0
%Women in working age (10 to 60 years)	62.0

Source: Inquiry into Multiple Indicators (MICS), INE-GMVP, 1996

Civil Society Organisations

The work of NGO's in rural areas concentrate on development of agriculture, health and education.

UNACA

The National Union of Peasants Associations is the main organisation established in the rural environment, integrating men and women.

COMUR, a national NGO established in 1992 following the Geneva Declaration on Economic Promotion of Rural Women, is led by the First Lady of the Republic. Under the mandate of the International Board of Directors (IBD), it also develops actions of advocacy and sensitisation in the SADC sub-region and receives aid from FAO. It is implementing a pilot development project in two communities. Actions concentrate on food security, micro-credit, rural trade, health, alphabetisation, professional training in needlework and support to associations with basic kits for agriculture, creation of crèches and children parks.

Lwini Trust Fund, a philanthropic organisation that mobilises funds for the financing of actions for recovery of women and men victims of landmines. Its mission also includes assistance to rural women, particularly the handicapped ones.

Rede Mulher set up in 2001 the Rural Women Creativity Prize worth USD 500, a replica of the World Prize. The prize (a total of five annual prizes of USD 500 each) is to be awarded to women or organisations showing creativity of exceptional value in their efforts to improve the life quality in the rural environment. The purpose of the prize is to draw the attention of national community towards the contributions of those awarded to sustainable development,

food security and peace as well as spur more visibility and support for their projects. Winners are announced on the 31st of June and awarded on the 15th of October each year.

Households headed by Women

The incidence of war preferably in rural zones has had as immediate consequence the migration of women to urban centres seeking better safety conditions. On the other hand, the number of families headed by women in the rural areas has considerably increased due to men conscription into the armies. Generally, these women have no husband and are the poorest for not having a male labour.

HIV/AIDS

Access to information on HIV/AIDS in the rural areas does not exist. HIV tends to be a serious problem due to cultural issues in a society which is predominantly patrilineal and with strong gender imbalances. Polygamy is accepted in the rural societies and men have more than one woman and their mobility allows them to move to the nearest cities or villages, increasing the HIV/AIDS transmission and propagation risk.

PART IV

Article 15

1. States Parties shall accord to women equality with men before the law.
2. States Parties shall accord to women, in civil matters, a legal capacity identical to that of men and the same opportunities to exercise that capacity, in particular, they shall give women equal rights to conclude contracts and to administer property and shall treat them equally in all stages of procedure in court and tribunals.
3. States Parties agree that all contracts and all other private instruments of any kind with a legal effect which is directed at restricting the legal capacity of women shall be deemed null and void.
4. States Parties shall accord to men and women the same rights with regard to the law relating to the movement of persons and the freedom to choose their residence and domicile.

The first Angolan law on nationality, approved in November 1975, would not grant Angolan nationality to a foreign citizen marrying an Angolan citizen, for the simple fact of the marriage. Also, the Angolan woman would not lose nationality for the fact of the marriage with a foreign citizen, unlike what was happening with other legislation of discriminatory nature. This principle was safeguarded by the Law 8/84 and is kept in the current Law 13/91 of 11 May.
Article 12 of the latter, Law 13/91, altered the previous situation by allowing a foreign citizen married to an Angolan national citizen to acquire the Angolan nationality provided s/he applies for it.

If the foreign citizen loses her or his citizenship for the fact of the marriage, acquires *ipso facto* the Angolan nationality. In addition to this article 12 the declaration of nullity or cancellation of the marriage does not prejudice the nationality acquired by the spouse who contracted it in good faith.

In the field of the relations of international private law the provision of

Article 52 of the Civil Code, under which the matrimonial relations should be regulated by the national law of the husband, should be considered as unconstitutional given its discriminatory content with relation to the woman. This is the position adopted in our jurisprudence.

In principle, the law applicable to the matrimonial relations in the case of distinct nationalities of the spouses will be that of the common residence.

1 - Angola's Constitution Law stipulates in its article 18 the principle of non discrimination of the citizen, being the equality between the sexes one of the several components of this principle, "All citizens are equal before the law and are entitled to the same rights and are subject to the same duties, without distinction of their colour, ethnic group, sex, place of birth, religion, ideology, education, economic condition.

The Legislation establishes two regimes of marriage namely:

Acquired (Estates) Community Regime: In this regime there are own estates of each spouse and common estates of both, and the general rule is that each spouse administers their own estates (article 54, paragraph 1 of the Family Code).

However, and as an exception, a spouse can administer the own estates of the other spouse or the common estates which he or she uses exclusively as a working tool.

The spouse also has the administration of the common goods which constitute the benefit from her or his work, and ordinary administration of the common estates of the couple (article 54, paragraph 3).

As an exception, the spouse can have the administration of own estates of the spouse when s/he is absent or in any way impeded from administering them [(article 54, paragraph 2, item b)].

The spouse, with relation to her or his own or common estates, can always choose a representative to administer them, granting a proxy to a third party or to the spouse if so wishes.

But, if one of the spouses cannot administer their own and common estates, the other spouse can perform this administration [(item b) of paragraph 2 of article 54)]. Impossibility of administration can result from the absence of the spouse or any other impediment to the exercising of the administration (for example, disease, prison and other). This provision has come to expressly eliminate heated discussions in the doctrine on whether or not the proprietor spouse could confer proxy to a third party to administer his/her estates. Should he/she do so, the other spouse could no longer be called into administering his/her own estates, but, shouldn't he/she do so, the spouse could, by virtue of legal power, exert the administration without the need for a proxy.

On other common estates, it is worthwhile making the distinction among:

- Acts of ordinary administration and
- Acts of extraordinary administration

Under the former, any of the spouses has legitimacy to practise them separately (disjoint administration). To the latter, the rule is that of the joint administration. This means that the administration is exercised in common by the spouses that enjoy joint active legitimacy.

On the responsibilities of the administering spouse:
Art. 55 of the Family Code stipulates that the exercise of administration frees the administering spouse from the obligation to account for his/her administration regarding the common estates or pertaining to the other spouse. He thus enjoys a special status, different from the one instituted by law for administrators of others' estates.
The legislator recognises, in this case, like in the case of administration of estates pertaining to minor children entrusted to the parents, that it is very difficult to demand accountability from among people that share a common economy.
In addition, should there be the periodical obligation for accountability among the spouses, this regime would cause unease in their personal life.
However, the final part of the art. 55 states that the administering spouse can be held responsible for acts that he/she practises to the prejudice of the other spouse or the couple, intentionally or by grave negligence.
The law states that the acts be intentional, aiming at the prejudice of the other spouse or the couple, being considered under this provision not only the fraudulent conduct but also the gravely negligent conduct, involving the conscious negligence.
If one of the spouses causes or attempts to cause grave prejudice to the interests of the family, the other can resort to the court and call for provisions of urgent character in the defence of his/her interests.
The Portuguese Civil Code states that the spouse prejudiced by the damaging administration by the other can apply for a simple judicial separation of estates. This provision has no equivalent in the Family Code, therefore, in the face of this situation, the spouse could only react
applying for the annulment of the act or acts damaging his/her interests and prejudicial to the family interest, or proposing against the other spouse an action of indemnity for the damages suffered.
Thus, the rule is that the ordinary administration of common estates is ascribed to any of the spouses (art. 54, paragraph 3 of the Family Code) as the extraordinary administration is ascribed in conjunction to both.

Estates Separation Regime

Each of the spouses is conferred the power of free fruition and control of his/her estates as each of the spouses keeps the ownership of the estates obtained before or after marriage. Each spouse can freely administer his/her estates and have them at individual disposition and without the consent of the other, whatever the nature of the estates, either mobile or immovable.
This does not apply to the restrictions contained in the paragraph 3 of the art. 56 concerning estates and movable and commercial establishments, neither to the one concerning the repudiation of heritage or legacy mentioned in the art. 58, paragraph 2 of the Family Code.

Article 16

1. **States Parties shall take all appropriate measures to eliminate discrimination against women all matters relating to marriage and family relations and in particular shall ensure, on a basis of equality of men and women:**
   - **(a) The same right to enter into marriage;**
   - **(b) The same right freely to choose a spouse and to enter into marriage only with their free and full consent;**
   - **(c) The same rights and responsibilities during marriage and at its dissolution;**
   - **(d) The same rights and responsibilities as parents, irrespective of their marital status, in matters relating to their children; in all cases the interests of their children shall be paramount;**
   - **(e) The same rights to decide freely and responsibly on the number and spacing of their children and to have access to the information, education and means to enable them to exercise these rights;**
   - **(f) The same rights and responsibilities in regard to guardianship, wardship, trusteeship and adoption of children, on similar institutions where these concepts exist in national legislation; in all cases the interests of the children shall be paramount;**
   - **(g) The same personal rights as husband and wife, including the right to choose a family name, a profession and an occupation;**
   - **(h) The same rights for both spouses in respect of the ownership, acquisition, management, administration, enjoyment and disposition of property, whether free of charge or for a valuable consideration.**
2. **The betrothal and the marriage of a child shall have no legal effect, and all necessary action, including legislation, shall be taken to specify a minimum age for marriage and to make the registration of marriages in an official registry compulsory.**

The law 1/88 of 20 February, approved the Family Code, in compliance with the Constitution and the political principles ruling the Country, consecrated equality of rights and duties between man and woman in all domains of the family life, either concerning personal relations between both, or regarding the education of the children, or even with regard to patrimonial issues.

Article 3, paragraph 1 states the following: man and woman are equal within the family, enjoying the same rights and same duties. The article 21 of the same Code states that : "Marriage is based on the equality and reciprocity of the spouses' rights and duties.

On the principle of equality of rights and duties between man and woman in all aspects of the family life, principle that stems from the very constitutional right, that prohibits all discrimination based on sex, the art. 20 of the Family Code states that: "Marriage is the voluntary union between a man and a woman, formalised under the terms of the law, with the purpose of establishing a full community of life".

Article 35, paragraph 1 emphasises the fact that : "It is essential for the validity of marriage that each of the betrothed expresses, in a clear way, the will to marry the other betrothed".

Art. 21 states that: "Marriage is based on the spouses equality and reciprocity of rights.
The art. 43 reaffirms that: "The spouses are reciprocally bound by the duties of right, fidelity, cohabitation, cooperation and assistance.
The art. 74 states the following: "Marriage is dissolved: by the demise of one of the spouses; by the judicial declaration of the presumed demise of one of the spouses; by the divorce.
Art. 75, paragraph 1 states the following: "Once marriage is dissolved by the demise of one of the spouses, the one alive maintains the rights and benefits he may have received as a result of the marriage, and the common estates of the spouse alive and the heirs to the deceased spouse are shared.

Paragraph 2: "In the share the spouse alive can preferentially integrate his/her joint-property into common estates that have been used at home and as own or common working instruments.
Paragraph 3: "The debts run into with a third party or within the spouses themselves shall be settled successively from the debtor's share of the joint-property and from his/her own estates.
Paragraph 4: "The dissolution of marriage due to demise implies, within the terms of the law, the transfer of the tenancy right to the spouse alive.
Art. 76 states the following: "Any of the spouses may apply to the Court for a judicial declaration of presumed demise of the other spouse, three years after the latest news about him/her, since there are strong indications that there was death.
Art. 78 states that: "The spouses may apply for divorce whenever the principles on which their union was based deteriorated completely and irremediably and marriage lost its sense to the couple, to the children and to the society.
Art. 127 paragraph 1 states that: "The father and mother, in relation to their children, enjoy equal duties and rights.
Paragraph 2 of the same article seconds that: "The paternal duties and rights shall be enjoyed to the interest of the children and of the society.
This principle of equality of rights and duties between man and woman within the family relations is highlighted in the sphere of the relations between the parents and the children, under which both the father and the mother, united through marriage, enjoy equal rights and duties towards the children.
Art. 131 of the Family Code states that "The father and the mother shall co-operate in catering, protecting and assisting children, exerting with equal responsibility their rights and duties and shall contribute with good example to the education of the children.
The reciprocity of rights between fathers and mothers does not represent a relation of equality, as the parents in relation to the children are of major amplitude and are expressed in the art.131 and in all others under this heading, which is not equitable to the restricted ambit of the art. 132 that mentions the duties of the children towards the parents.
Art. 4 of the Family Code states that: "Children deserve special attention within the family which, in collaboration with the State, is expected to guarantee them full protection and equality so that they reach their integral physical and psychic development and that through the effort of their education the ties between the family and the society become strengthened.
Under our National Legislation, the figure of the tutelage is as follows:
Art. 221 of the Family Code states: "the tutelage is meant for the provision of the paternal authority and the guard, education, development and protection of the personal and patrimonial

interests of the minors and the defence and protection of the patrimonial interests of the interdicted majors.
Art. 236 states in its paragraph 1 "Tutelage shall be exerted to the interests of the tutored and of the society.
Paragraph 2: "The guardian is entitled to the rights and duties reserved to the parents in the performance of the paternal authority.
Our Legislation on Trusteeship States:
Under art. 89 of the Civil Code - paragraph 1 "Whenever there is need to make provisions for the administration of estates of a missing person on whose whereabouts, legal representative or trustee there is no knowledge, the Court shall provide for a temporary trustee.
Paragraph 2: - "The absent shall also be appointed trustee, should the proxy not accept or be available to perform that duty.
Paragraph 3: - A special trustee can be appointed for certain affairs, whenever stated by circumstances.
The law is not clear as yet who shall be entrusted the temporary trusteeship;
Art. 29 states:
Paragraph 1 - The temporary trustee will be chosen from among the following people: spouse of the absent, any or some of the presumed heirs or any or some of those interested in the conservation of the estates.
p. 2 - In case of conflict of interests between the absent and the trustee or between the absent and the spouse, trustee's ascendants or descendants, a special trustee shall be appointed, in terms of the p. 3 of art. 89.
Therefore, how absence can be justified: After two years without knowledge about the absent, should him have left neither legal representative nor trustee, or after five years, on contrary, can the Public Ministry or any of the interested parties apply for the justification of the absence - art. 99 of the Civil Code.
Thus, legitimacy in the justification will be the spouse that is not under a judicial ban on people and estates, the heirs to the absent and all those entitled to the absentee estates in case of the latter's demise - art. 100 of the Civil Code.
Finally, appointed shall be the definite trustees that are the heirs and the other interested parties to whom the estates of the absent have been entrusted - Art. 104 of the Civil Code.
On adoption, the art. 197 of the Family Code states: Adoption aims at social, moral and affective protection of the minor, constituting between the adopted and adopting ties of affinity similar to that relating children to their natural parents.
The Law 7/80, of 27 August, Minors Adoption and Hosting Law revoked the articles 1973 to 2002 of the Civil Code and approved the other legal frame on adoption. "This law sought to lessen the effect of two national liberation wars on the life of thousands of children who were thrown into orphanage and abandonment."
The Family Code integrated the essence of that law, deepening, however, the ties of adoption that in art. 8 is equated to kinship.
Adoption is constituted through a judicial sentence (art. 212, p. 1 of the Family Code).
The effects of adoption between the adopting and the adopted are those in art.198, on names and family names, articles 208 and 209 and, on food obligation, articles 249, p. 1 and p.º2, paragraphs b) and c), all under the Family Code.

It is worth stressing that the effects are produced in the succession field - art. 2133 of the Civil Code.

Adoption as a form of protection to children deprived of the family environment comes under the art. 20 and 1 of the Convention on Children's Rights.

The principle of equality of rights and duties between man and woman in all aspects of the family life, a principle that stems from the very constitution, that prohibits all discrimination based on sex. (Const. Law. art. 18, Family Code. art.3).

From the principle of equality of rights derives the principle of monogamy or monandry according to which the conjugal ties have exclusive nature, being barred from marrying those, man or woman, who are under the state of married, or they will be committing the crime of bigamy.

Speaking of equality of rights does not imply forcible imposing the existence of equal tasks to the man and woman within the family. They should be assigned in a harmonic and balanced way within the spirit of the solidarity that should be established among the members of the family.

The law should abstain from indicating which the role of the woman within the family, as whenever this happens, it is to place her in a position of subalternity. Nowadays, the tendency is to recognise that it is not enough to enunciate the principles of equality of rights, being necessary to go further and promote the so-called "positive actions", that gradually secures an effective parity between man and woman in all fields of the life in society.

On the right to choose surname, our Family Code, in its art. 36- p.1, states: "In the act of marriage, one of the bet·othed can declare that he/she adopts the surname name of the other or can both opt for adopting a common surname out of the surnames of both".

This declaration has to be made soon after the celebration of the marriage.

It is thus consecrated the principle that the spouses can opt for the constitution of a common family surname formed out of the surnames of both and used commonly by the man and woman.

The declaration made by the betrothed can consist in a unilateral act of will, would it consist in the adoption of the other's surname, which has to stem from just one of the spouses. Or can it also consist in a bilateral act resulting from an accord of will, should it consist in the formation of a common surname of family. In any case, the declaration should be volunteer and of irrevocable nature and could only be altered under exceptional circumstances.

The right to the use of the name last for the duration of the marriage and after its dissolution due to death. They can also cease in the case of divorce, as stated in p. 2 and 3 of the mentioned art. 36.

On the choice of profession and occupation, out labour legislation is clear its art. 3 states:

P. 1 - All citizens are entitled to free chosen job, with equal opportunities and without discrimination based on race, colour, sex, ethnic origin, civil state, social condition, religious or political ideas, trade union affiliation or language.

P. 3 All citizens are entitled to free choice and exercise of profession, without restriction, save exceptions stated by law.

P. 4: The conditions under which the work is done shall respect the liberties and dignity of the worker, allowing him/her to normally satisfy their necessities and of their families, protect their health and enjoy decent living conditions.

The duty to contribute to the home expenditures is one of the aspects comprising the duty with the spouses' material assistance between themselves. Nowadays, consecrated the principle of equality between the spouses, this duty with contribution pertains both to the husband and to the wife, whatever the couple's regime of estates, and is in correlation with the economic condition of each of the spouses. This contribution can be made from the product of the labour income, from personal incomes or consist of services provided for the family. All this is in correlation with the very level of economic and professional development of the couple.

Within the family in which the woman has no resources neither she exerts any professional activity outside the house, all the so-called "domestic" work she develops with a view to the subsistence of the family is underestimated and shall not be attributed economic value. Because it is free, it is not worthwhile, being for ancestral reasons seen as a role reserved for the woman and which shall be accumulated with the work outside the house, should this be the case.

Under the current matrimonial regime, apart from the contribution of the spouses in the home expenditures through values or services, there are provisions for the juridical situation of the estates whose possession by the spouses is prior or posterior to marriage, there are definitions on the power for administration of those estates by the spouse, the power for running into debts during marriage, the responsibility for their payment, etc...

It is worth stressing that, the marriage economic regimes have evolved along the times and in line with the evolution of the very structure of the family.

According to our legislation (Family Code), art. 49 - two marriage estates regimes are permitted: Acquired estates communion regime - partial communion - and that on estate separation, both regulated by law. The option for one or another regime of estates is free and is done through bilateral declaration by the betrothed in the initial declaration confirmed in the act of marriage. The general suppletive regime continues to be the regime of communion of acquired estates, there not being estates imperatives, as it was in the Civil Code.

Art. 50 of the Family Code - consecrated the principle of immutability of the estates regime. The separation of estates under the acquired estates communion regime can occur by judicial imposition, as in terms of articles 825, p. 1, 1237, p. 1, item b) and 1319, all under the Civil Procedural Code.

In case of dissolution of marriage through divorce, the effects on the spouses can be produced from the definite ceasing of cohabitation - art. 82, p 1.

Art. 51 of the Family Code stipulates that the matrimonial communion of estates is characterised by a unique right of each spouse to a the half of the whole patrimony and by the impossibility of their division during the period of marriage - art. 73, p. 1 and art. 80, item a).

The communion includes all incomes obtained in the period of marriage, whether they come from common estates or self-owned estates.

The presumption of the common nature of the estates can be eliminated upon simple confession of one of the spouses, though it is insufficient before a third creditor.

Estates acquired free of charge can come through succession or through donation and the real subrogation entails the substitution of an estate with another one- art. 52 of the Family Code.

On the authors right it is worthwhile looking at the Copyrights Law, 4/90 of 10 March 1990 and on the inventors right, it is relevant what comes under chapter II of the law 3/92 - Industrial Property Law of 28 February.

Personal rights are the ones that come under articles 18 and subsequent of the Constitution Law and under articles 70 and subsequent of the Civil Code

Personal use estates include those that are of self use of each spouse and the working instruments that are directly connected with the professional activity. The estates that are partly common and partly owned are grouped according to the major value of the respective quotas in the common or self-owned patrimony. Art. 53 of the Family Code

- Under the estates separation regime there are two self-owned and autonomous patrimonies, that of the husband and that of the wife. In case of doubt about ownership of the movable estates, they pertain by the half to each of them, under the regime of co-property.

Under the acquired estates communion regime each spouse exerts ordinary administration of his/her estates and of common estates and can also exert administration on the other's self-owned estates, in case of absence or impediment, when the partner has not constituted a proxy. In the extraordinary administration and acts of alienation of estates, there has to be the intervention of the two spouses, in the case of immovable estates or commercial establishments and in case of repudiation of heritage.

Under the estate separation regime all acts of ordinary and extraordinary administration of self-owned and common estates can be exercised by each spouse in relation to the other's estates, whenever there is no impediment.

Under the two estates regimes, there are especially protected estates: movable estates used in the house, either or as partly or commonly owned instruments of work and the right to leasing the family residence, such estates that can only be alienated on accord of both parties.

Art. 22, p 1 of the Family Code - The pledge of marriage, even supported with the offer of estates or assets to one of the betrothed or family has no juridical effect. Brideprice (alembamento), existing in the customary law has no legal protection, although it is not a prohibited practice. The law does not provides for the restitution of estates offered on the occasion of the marriage pledge, which constitutes a voluntary omission of the law to prevent coercion on the betrothed, especially on the woman, forcing her to marry against her will.

Art. 24 - Nubile age is that of majority (18 years), set by Law 68/76 of 12 October. Exceptionally, marriage can be authorised between minors, 15 for the woman and 16 for the man, upon criteria of physical development of each sex.

CONCLUSIONS AND RECOMMENDATIONS

RECOMMENDATIONS

With the advent of effective peace in Angola, the Government shall channel resources that permit the practical implementation of strategies for the promotion of gender equality till the year 2005;
Under the poverty reduction Strategy the Government is preparing with the help from its partners, a special attention shall be paid to the implementation of projects aimed at the reduction of poverty among the rural women;
All the projects and programmes that are aimed at agriculture and rural development, in this post-war period, shall take into account the Rural Woman component, as it constitutes a major labour.

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